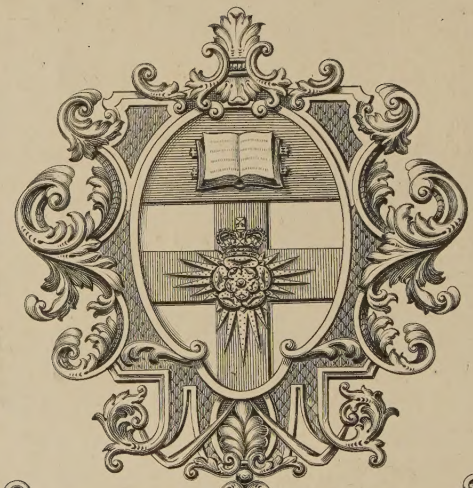

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CONTENTS

PAGE

PRESIDENTIAL ADDRESS. By Professor C. H. FIRTH, LL.D., F.B.A., *President.* (*Delivered February* 18, 1915) 1

Choice of an Address influenced by current events—Historical associations of the War—Continuity of the international relations between England and Flanders—Mediæval political alliances against France—Close economic connection between England and the Netherlands—New era in these international relations after the Reformation—Queen Elizabeth's policy towards the Protestants in the Low Countries—Policy of the Stuarts towards the Dutch States—Religious sympathies and commercial rivalry between England and Holland—Map of Holland and Belgium by Treaties, 1678-1815—The Barrier fortresses in the seventeenth and eighteenth centuries—Result of the Napoleonic war—Treaty of Paris and Congress of Vienna—Independence of Belgium in 1830—Guaranteed and maintained down to 1914.

THE DESPENSER WAR IN GLAMORGAN. By J. CONWAY DAVIES, M.A., F.R.Hist.S. (*Read November* 19, 1914) 21

Historical significance of these hostilities—Interest of Despenser in the Gloucester estates—Intrigues following their partition—Despenser's ambitious designs in South Wales—Despenser's designs upon the honour of Gower—William de Brewosa, lord of Gower—Seizure of his barony by Mowbray—Despenser's intervention in the disputed succession to Gower—Disturbances in the Marches—Further causes of hostility to Despenser—Preparations for hostilities on both sides—The Earl of Hereford's protest—Operations of the Lords Marchers in Glamorgan—General sympathy with the barons against Despenser—Destruction of Despenser's property—The King takes possession of the disputed lands—Charges against the Despensers—Their exile and the royalist reaction—Results of the Despenser war.

PAGE

A Provincial Assembly during the League. By Maurice Wilkinson, Esq., M.A., F.R.Hist.S. (*Read December* 10, 1914). 65

Burgundy and the League—Causes of opposition in the province—Royalist parlement at Flavigny—Strength of the League at Dijon—Administrative machinery of the province—Meeting of the Estates in 1590—Procedure of the royalist parlement—The leaguer parlement—Analysis of the rival bodies—Real strength of the royalist faction—Due to the traditional unity of the French nation in face of foreign danger.

The Errors of Lord Macaulay in his Estimation of the Squires and Parsons of the Seventeenth Century. By the Rev. P. H. Ditchfield, M.A., F.S.A., F.R.Hist.S. (*Read May* 20, 1915) 77

The new edition of Macaulay's History—The charm of the 'History'—Macaulay's estimate of the squires and parsons challenged—The historian's political prejudices—His presentment of the seventeenth-century squire—Refutation of Macaulay's conclusions—Evidence of the Sitwell and Sacheverell papers—The squire's work as a builder—and gardener—His average income—His visits to London—Provincialisms—His education—His books—His love of sport and ale—Macaulay's depreciation of the country ladies—His attitude towards the religious parties—Caricature of the seventeenth-century parson—His means of living and prospects—Contemporary opinion of the country clergy—'Josselin's Diary'—The careers of parsons' children—Clerical libraries—Conclusion as to the justice of Macaulay's indictment—Its political motives—Opinion of the *Quarterly Review*.

Municipal Administration in the Spanish Dominions in America. By F. A. Kirkpatrick, M.A., F.R.Hist.S. . . 95

Extent of the Spanish Settlements in South America (1574)—Survey of Venezuela in 1764—Features of these surveys—Scheme of civil administration in the seventeenth century—Colonizing and town-planning—Town legislation—Municipal officers—The *Cabildo*—Provincial examples—Effect of the Bourbon régime—Mediæval elements—The position of Chile—*Cabildo* and *Junta* in 1806.

PAGE

A Suggestion for the Publication of the Correspondence of Queen Elizabeth with the Russian Czars. By Madame Inna Lubimenko, Docteur de l'Université de Paris (Lettres). (*Communicated December* 10, 1914) 111

Enumeration of the letters—Analysis of the correspondence—The printed texts—The unpublished letters—Palæography and diplomatic of the letters—Relative number of English and Russian letters—Subjects of the correspondence—Commercial privileges to English merchants—Matrimonial alliances—The Muscovy Company—A plea for the publication of this correspondence—Features of the proposed edition—Its historical value.

The Historical Side of the Old English Poem of Widsith. By Alfred Anscombe, F.R.Hist.S. (*Read June* 17, 1915) . 123

Previous editions of the poem—Desiderata for an ideal edition—Examination of the text—Stichometrical analysis—Revised text of Widsith—Historical references in the poem—The Burgundians—The Huns—Etymology of the name Attila—Date of Widsith's Visit to Burgundy—Count 'Cæsar' and the 'Greeks' of the Rhine—Dialectical variation of the poem—Answer to Mr. Anscombe's paper by Dr. Chambers—Mr. Anscombe's reply.

History of the Canadian Archives. Communicated by A. G. Doughty, LL.D., C.M.G., Dominion Archivist, with a Prefatory Note by Professor C. H. Firth, LL.D., F.B.A., *President*. . 167

Origin of this description of the Canadian Archives—Historical evolution of the Department—Contents of the Archives—Cost of maintenance—Publications.

Index 175

Report of Council 179

Official Information respecting the Society 187

List of Fellows 210

TRANSACTIONS

OF THE

ROYAL HISTORICAL SOCIETY

PRESIDENTIAL ADDRESS

By Professor C. H. FIRTH, LL.D., F.B.A. *President*

Delivered February 18, 1915

When I remembered that I had to address the Society to-day I thought at first of choosing some subject remote from the troubles of the moment, something analogous to my former addresses on the development of historical studies in England. But it was not possible to do so. The events which are in progress now have too absorbing an interest to permit us to abstract ourselves from them, for which of us is not in some way or other intimately affected by them? Besides that, these events have for any historian not merely the interest which all of us share, but an interest of a very special kind. The historian sees in action before his eyes the abstractions he has been reading about in books all his life: the struggle of races, the conflict of opposing ideas, the operation of economic laws, the development of historical tendencies, and perceives what these phrases really mean when they are translated into facts. There has been no such open conflict of ideals since the wars of the French Revolution. There has been no such huge conflict of races since the time when the Teutonic peoples moved westward to overthrow Roman civilisation and plant their own in its

place. One of Milton's similes for the Satanic host pictures their coming :

> 'A multitude like which the populous North
> Poured never from her frozen loins to pass
> Rhene or the Danaw, when her barbarous sons
> Came like a deluge on the South, and spread
> Beneath Gibraltar to the Libyan sands.'

While the general aspects of the war appeal to the imagination of historians, one part of the world-wide field in which it is waged has a special interest for us as Englishmen. We associate with the names of the cities and rivers of Belgium memories of older battles than those which now turn them to heaps of ashes and redden the waters. There is hardly a place in Belgium or on its borders in which the ancestors of the English soldiers fighting now have not fought in times past. The names of Nieuport, Ostend, Antwerp, Ypres, and many other places take us back to earlier triumphs or reverses. All have their niche in the pages of our military history. Why is it that so many of our battles have been fought in this particular plot of ground ? It seemed to me that it would be not inappropriate to consider the causes which have produced the constant repetition of the same phenomena in successive centuries, and to link the present with the past by showing why we were originally led to fight on Belgian soil, and to make its defence the traditional object of English policy.

Close relations between England and the Netherlands as between England and northern France were a geographical necessity. Those who dwelt on the coast immediately opposite to our own must be either our closest friends or our bitterest foes ; juxtaposition made indifference impossible. So it happened that during the Middle Ages the dwellers in France came to be regarded as our hereditary enemies and those in the Low Countries as our natural friends. In one of his prefaces Bishop Stubbs traces the political causes to which the growth of the hostility between England and

France was due. 'The hatred of foreigners,' he says, 'had been growing upon the English since the Conquest, but reached its maximum during the internal and external quarrels of the thirteenth century. . . . To the English of the twelfth century, delivered by Henry II from the feudal tyranny of the Norman baronage, France was the great stay and support of the common enemies of themselves and their king; to those of the thirteenth, from the accession at least of Henry III, France was the source and home of men and measures which, as sustaining the royal faithlessness, were alike hateful to nobles and people: from the reign of Edward III downwards, king, nobles, and people joined heart and soul in a war which lasted as long as the Middle Ages themselves.' [1]

In the thirteenth and the fourteenth centuries the Counts of Flanders, vassals of the King of France, naturally sought the alliance of the Kings of England against their suzerain whenever their independence seemed to be threatened. At the battle of Bouvines for instance, in 1214, Englishmen and Flemings fought side by side against France, and readers of Mr. Freeman's 'Norman Conquest' will remember his exaggerated lamentation over 'that day of darkness and sorrow for every man of Teutonic speech, when three branches of the Teutonic race, the German, the Fleming, and the Englishman, sank before the arms of men of the hostile blood and speech.' [2] Temporary political combinations of this kind were less effective and less permanent than the economic necessities which required the Flemings to keep on friendly terms with England. Before the close of the thirteenth century English wool had become indispensable to the cloth manufacturers of Flanders, so indispensable indeed that in 1274 and again in 1297 Edward I forced the rulers of Flanders to comply with his demands by stopping the export of wool from England. In the thir-

[1] Stubbs, *Historical Introductions to the Rolls Series*, collected by A. Hassall, 1902, p. 185.

[2] *Norman Conquest*, v. 706.

teenth century Bruges was the great commercial port of the Low Countries —a cosmopolitan city where the products of the north and south of Europe were exchanged and the merchants of all countries met. The manufacture of cloth was concentrated in Bruges, Ypres, and Ghent, and the rulers of Flanders were obliged to conform their policy to the needs of the citizens of those three cities. The alliance of Ghent under the leadership of Jacques van Artevelde with Edward III, and the assumption of the title of King of France by Edward III in 1340, marked the culminating point of this process.[1]

In 1384 a new line of sovereigns was established in Flanders. Philip 'le Hardi,' Duke of Burgundy, fourth son of King John of France, married in 1369 Margaret, daughter of Louis de Male, Count of Flanders, and in consequence of this marriage Flanders passed to a younger branch of the House of Valois. Policy proved too strong for kinship and led the Burgundian Dukes into hostility with France and alliance with England. From 1419 to 1435 Philip the Good leagued with Henry V and the Duke of Bedford fought against France, and his son Charles the Bold married Edward IV's sister and made war by the side of Edward against Louis XI. England by this time had begun to work up its own wool into cloth, and the Flemish weavers replaced English by Spanish wool or mixed the two together. Instead of Bruges, Calais, which had been in English hands since 1347, became the great market for English wool. Bruges was decaying, and sand was choking up its port, while Antwerp during the latter part of the fifteenth century became the centre of Flemish commerce. To its great fairs the Merchant-Adventurers brought their English cloth for sale, and exchanged it for the commodities of Europe; there too, after the discoveries of the Portuguese and Spaniards, they purchased the products of Asia and the New World.

In 1482 the State which the Burgundian dukes had built

[1] Cf. H. Pirenne, *Histoire de Belgique*, ii. 75, 93.

up in the Netherlands passed to the House of Hapsburg. Mary, daughter of Charles the Bold, had married in 1477 Maximilian, son of the Emperor Frederick III. Their son Philip the Fair married Johanna of Castile and became father of Charles V, whose succession to the Spanish crown in 1516 brought the Netherlands into connection with Spain for the next two centuries. With this new line of sovereigns the relations of England were at first somewhat hostile. Maximilian, who governed during his son's minority, harboured Yorkist conspirators in Flanders and supported the rebellions of Lord Lovel and Perkin Warbeck against Henry VII. Henry replied by prohibiting commerce between England and the Netherlands, and by moving the staple for the sale of English cloth from Antwerp to Calais. This brought the government of the Netherlands to terms and led in 1496 to the famous commercial treaty known as the Magnus Intercursus. As a rule, whenever the relations of the two countries became unfriendly, economic pressure rather than military action was the weapon employed by the English government, and the value of English trade to Flanders made it an effective one.[1] In 1545, when the Flemish government placed the Merchant-Adventurers at Antwerp under arrest, the measure did more harm to the Flemings than the English. 'The Bourse,' wrote an English agent at Antwerp, 'was unhaunted. The inhabitants of the city feared the utter decay of their traffic. . . . Great numbers of fullers, shearmen, dyers and others, thought their livings were utterly bereaved from them. . . . This little arrest hath made many to confess to me that it were better for this country to have twenty years' war with France than one with England.'[2]

With occasional interruptions of this kind Antwerp was the head-quarters of the Merchant-Adventurers from 1407 to 1567. The little commercial colony there, with its

[1] Pirenne, iii. 61.

[2] J. A. Williamson, *Maritime Enterprise*, 1485–1558, Oxford, 1913, 192; see also 19, 131, 184.

governor and its council of twenty-four merchants, suggests one of the factories of the East India Company during the seventeenth century, and its history would be worth writing with the care which has been bestowed on theirs.[1]

The close economic connection between England and the Netherlands was strengthened by political alliances and dynastic ties. In 1512, 1522, and 1544, Henry VIII co-operated with the ruler of the Netherlands in attacks on France. The dynastic tie between the Hapsburgs and Tudors which originated with the marriages of Catherine of Aragon was completed by the marriage of Mary, which seemed likely to produce some kind of national union. By the marriage contract of Philip and Mary in 1553 it was stipulated that Burgundy and the Low Countries should be settled on their offspring and annexed to the English Crown.[2] If Mary had borne a son the House of Hapsburg might have dominated the North Sea as it did the Mediterranean, and England and Holland might have remained Catholic countries. But it is probable that the connection would not have lasted long. Economic interests supplied the basis for an alliance, not for union. There was not enough similarity in race, language, or institutions to form a foundation. M. Pirenne observes, that while Belgium was by turns under French or German influence there was no period in the Middle Ages when it was under English influence, either in the domain of institutions, literature or art. Belgium's relations with England, in short, were purely external, to be explained by economic necessities or political combinations.[3] On the other hand Belgian, or rather Flemish influence upon England was much deeper, owing possibly to the number of Flemings who settled amongst us, and owing to the close and continuous relations of the two

[1] Williamson, 187; W. L. Lingelbach, *The Merchant Adventurers of England*, 1902, xxxv.

[2] Froude, v. 309; Rymer, *Foedera*, xv. 377; R. Dollot, *Origines de la neutralité de la Belgique*, 14; Pirenne, iii. 141.

[3] Pirenne, ii. 93.

countries. In the sixteenth century there was in England more knowledge of the inhabitants of the Netherlands than of any other foreigners, and more sympathy with them.

The manifesto which Queen Elizabeth issued in 1585 to explain her reasons for intervening on their behalf states the position clearly if verbosely.

'First it is to be understoode, (which percase is not perfectly knowen to a great nomber of persons), that there hath beene, time out of minde, even by the naturall situation of those Lowe Countreis and our realme of Englande, one directly opposite to the other, and by reason of the ready crossing of the seas, and multitude of large and commodious havens respectively on both sides, a continuall traffique and commerce betwixt the people of Englande, and the naturall people of these Lowe Countries, and so continued in all ancient times when the several provinces thereof, as Flanders, Holland, and Zeland, and other countries to them adjoyning, were ruled and possessed by severall lordes, and not united together, as of late yeares they have beene by entermarriages, and at length by concurrences of many and sundrie titles have also beene reduced to be under the government of their lordes that succeeded to the dukedom of Burgundie, whereby there hath beene in former ages many speciall alliances and confederations, not onely betwixt the Kinges of England our progenitours and the lordes of the said countries of Flanders, Holland, Zeland, and their adherents; but also betwixt the very naturall subjectes of both countries, as the prelates, noblemen, citizens, burgesses, and other commonalties of the great cities and porte townes of either countries reciproquelie by speciall obligations and stipulations under their seales interchangeablie, for maintenance both of commerce and entercourse of marchantes, and also of speciall mutuall amitie to be observed betwixt the people and inhabitants of both parties as well ecclesiasticall as secular; and very expresse provision in such treaties conteined for mutuall favours, affections, and all other friendly offices to be used and prosecuted by the people of the one nation towardes the other. By which mutual bondes, there hath continued perpetuall unions of the peoples heartes together, and so by way of continuall entercourses, from age to age the same mutuall love hath bene inviolablie kept and exercised, as it had bene by the worke of nature, and never utterly dissolved, nor yet for any long time discontinued, howsoever the kinges and the

lordes of the countries sometimes (though very rarely) have bene at difference by sinister meanes of some other princes their neighbours, envying the felicitie of these two countries.' [1]

With the Reformation a new era in the relations of England and Belgium began.[2] Ere many years passed England's adoption of Protestantism put an end to the alliance between the rulers of England and the Netherlands, which the Hapsburgs had inherited from the Burgundian dukes. Another result of the Reformation was the break up of the State which the Burgundian dukes had built up in the Netherlands. The seven northern provinces, which adopted the Protestant faith, formed in 1579 the Union of Utrecht, and thus founded the Dutch republic. Of the southern provinces, the Walloon districts, which were predominantly Catholic, returned of their own free will to the rule of Spain, while the Flemish districts, where Calvinism had made great progress, were reconquered by Alexander Farnese, Duke of Parma. Ypres, Bruges, and Ghent fell into his hands in 1584, and Antwerp capitulated on August 17, 1585. A month earlier, on July 10, William the Silent had been assassinated by Balthasar Gerard, and it seemed as if the northern provinces, bereft of their leader, would speedily be reconquered by Spain.

Then, and not till then, Elizabeth made up her mind to intervene, concluded an alliance with the seven provinces, and sent troops to assist them against the Spaniards. If she had listened to the advice of her ministers or followed the wishes of her people she would have intervened long before. Ever since the time when the Duke of Alva, in 1567, had taken in hand the forcible repression of heresy throughout the Low Countries, English protestants had feared a like fate. They saw, as Froude says, 'Alva shaking his bloody sword across the Channel,' and felt that their turn was coming.[3] In 1568 refugees began to flock into England.

[1] *Somers Tracts*, i. p. 411.

[2] See Kervyn de Lettenhove, *Relations politiques de l'Angleterre et des Pays Bas sous Philippe II*, 10 vols., 1882–91.

[3] Froude, *History of England*, viii. 444.

In 1576 the Spaniards sacked Antwerp and, according to an English narrative, massacred 17,000 persons in the process. Few of the Merchant-Adventurers and other English merchants there were killed, but all were plundered and held to ransom, although there was peace between England and Spain.[1] Antwerp's fate was held up in pamphlets and ballads as a warning to London :

> 'Rejoice not if thou see
> Thy neighbour's house set on a flame,
> For like thy luck may be,
> Unless thou well prevent the same.
> The scourge which late on Antwerp fell
> Thy wrack and ruin doth foretell.'[2]

It was no idle fear. In 1569 and in 1571 preparations for invading England had been made in the Netherlands. It was the fixed idea of Don John of Austria, whilst he was governor there, to use them as a stepping-stone for the conquest of England—a conquest which was to give him the hand of Mary Stuart and the English crown as his reward. It was to meet this danger that Burleigh and Walsingham had urged Elizabeth to help William the Silent. 'If God,' wrote Walsingham in 1572, 'had not raised up the Prince of Orange to have entertained Spain, the fire would have kindled before this in our own home. To assist the Prince is to assist ourselves.'[3] Again and again Cecil, in the elaborate memoranda which he drew up on questions of public policy, urged the Queen, in her own interest, to prevent the subjugation of the revolted Netherlands by Philip II. 'The Low Countries,' he told the Queen in one of these papers, 'hitherto have been as a counterscarp to your Majesties Kingdom. . . . I beseech your Majesty, that what stay and support your Majesty,

[1] Strype, *Annals of Queen Elizabeth*, i. pt. ii. 268 ; ii. pt. ii. 1–9.

[2] 'A Warning to London by the Fall of Antwerp' : Collier, *Old Ballads*, 89 (Percy Society, 1840).

[3] Froude, x. 108, 369.

without war, can give to the Low Countries, you would vouchsafe to do it, since as King of Spain, without the Low Countries, he may trouble our skirts of Ireland, but never come to grasp with you, but if he once reduce the Low Countries to an absolute subjection, I know not what limits any man of judgment can set unto his greatness.' [1]

Another motive to which Cecil appealed was jealousy of France. The conquest of the northern provinces, he declared, was inevitable, unless they were aided by either England or France. If they were helped by France they would be 'at the commandment of that crown,' and then 'with their havens and ships France would control both England and Scotland and all the narrow seas.' If England would not intervene to protect herself from the danger of Spanish invasion, she must do so to guard against the danger of French aggrandisement. 'Better far if the Queen would herself take the protection of those countries, with a resolution if necessary to spend half a million of money there. The burden would be willingly borne by the realm, rather than that they should come into the hands of the French or Spaniards.' Another time he declared that the day when France became possessed of Holland and Zealand would be the last of English independence.[2]

Elizabeth hesitated, temporised, and intrigued till the summer of 1585, when the death of the Prince of Orange and the fall of Antwerp made inaction impossible. Then she made up her mind and sent the Earl of Leicester with 6000 men to the Netherlands. To trace the history of the campaigns which followed, or even the share of the English auxiliaries in them, would be too lengthy a task. Places we hear much of to-day—Dunkirk, Nieuport, and Ostend—became familiar names to Englishmen then. Parma had taken Dunkirk and Nieuport in 1583, and he collected there the boats which were meant to transport his soldiers to England. About Dunkirk, during the winter of 1587–8,

[1] *Somers Tracts*, i. 169, 170.
[2] Froude, x. 359; xi. 163, 550.

he encamped the 30,000 men who were to form the army of invasion. Medina Sidonia and the Armada were to cover their passage, assist their landing, and increase their force. Fighting its way through the Channel the Armada reached Calais on August 6, 1588. News of the arrival reached Parma two days later, and he at once embarked 20,000 men at Nieuport and Dunkirk. For two long days they lay heaped together in hoys and flat-bottomed boats 'like sacks of corn,' as one of his officers said. Then came the news of the defeat of the great fleet at Calais and off Gravelines, of its dispersion, and of its flight up the North Sea. Parma had to land his troops again. 'I take him to be as a bear robbed of her whelps,' laughed Drake.

So ended the threatened invasion. Motley attributes its failure to 'the patient Hollanders and Zealanders, who with their hundred vessels held Farnese a close prisoner with his whole army in his own ports.'[1] But without under-estimating their service, it is clear that Parma's flotilla would have been helpless, even if they could have emerged from their harbours, so long as Drake's and Howard's ships rode the seas.

Twelve years later Nieuport was again made famous. Among the dunes between it and Ostend—'within sight,' says an historian, 'of the peaceful villages of Lombaertzyde and Westende'[2]—Prince Maurice of Nassau defeated the Spanish army under the Archduke Albert (July 2, 1600). In the fighting Sir Francis Vere, with 1600 English foot and a couple of troops of horse, played a part. Sir Francis tells the story of the battle in his Commentaries, and claims, it is agreed, too large a share of the victory for the English contingent, yet as 800 of the 1600 were killed or wounded they must have done some hard fighting. A later ballad celebrating the battle—long popular in England—erroneously represents Lord Willoughby as the English leader, but describes truly enough the temper of leader and soldiers

[1] Motley, *United Netherlands*, ii. 485.
[2] Markham, *The Fighting Veres*, 285.

both. After seven hours' fighting the Spaniards had enough.

> 'Then quoth the Spanish general,
> "Come, let us march away,
> I fear we shall be spoiled all
> If that we longer stay.
> For yonder comes Lord Willoughby,
> Of courage fierce and fell,
> He will not give one inch of ground,
> For all the devils in hell."'[1]

A year later the famous siege of Ostend began: from July 1601 to September 1604 a garrison of Dutchmen, Englishmen, and Frenchmen held it against a Spanish army, supplying it with reinforcements and provisions by sea as long as the way into the harbour was open. During the first eight months of the siege Vere commanded the garrison, and many English officers and soldiers fought under the Dutch governors who succeeded him there.

James I made peace with Spain in the summer of 1604 though English and Scottish regiments continued to serve under the Dutch flag. In 1609 the Dutch made a twelve years' truce with Spain, and in 1648 Spain recognised the independence of the Dutch republic. One of the objects of Elizabethan statesmen had been achieved. The seven provinces were neither French nor Spanish, but a free state. On the other hand English intervention had come so late, and the force employed had been so inadequate, that the ten southern provinces had entirely lost their independence. The small strip of Holland known as Dutch Flanders, running from the estuary of the Scheldt below Antwerp to Sluis and Kadzand, represented one of the results of this intervention—all that our belated assistance could help the Dutch to save from Spain. It was the possession of this strip which enabled the Dutch to close the Scheldt for nearly two centuries, and to destroy thereby the commerce of

[1] 'Lord Willoughby,' *Roxburghe Ballads*, iv. 4; see also *Transactions*, third series, 1909, 110.

Antwerp. The treaty of 1648 gave them the right to do this; they had exercised the power to do it since 1609.

The establishment of the Dutch state, and its rapid growth in wealth and power, produced a certain change in English policy. During the seventeenth century we were alternately the allies and the foes of the Dutch. Competition for colonies or commerce prevented our common interests in Europe from producing co-operation and friendship. About 1609 an English traveller in the Netherlands formulated the two maxims which inspired English policy during the next seventy years or so. The first was jealousy of the maritime power of the seven provinces. He said that the Dutch possessed so many ships of all sorts, that if they were our enemies 'they are able to give us the law at sea and eat us out of all trade, having at this time three ships for our one, though none so good as our best.' The second axiom was the danger of the French conquering the ten southern provinces which now form Belgium. 'No addition,' he said, 'could make France so dangerous to us, for so it were worse than if the Spaniard himself had them entirely.' [1]

Sometimes one, sometimes the other of these maxims guided our policy. The views of the English people on European politics were sometimes inspired by religious and political sympathies, sometimes by commercial interests. At one time 'our brethren the Dutch' was a popular phrase, and in 1642 the Long Parliament petitioned the King to enter into a strict alliance with the United Provinces for the defence of the Protestant religion against the Pope and his adherents. Under the Commonwealth commercial interests gained the upper hand. 'I believe it is an irreconcilable quarrel between us,' said one of the republican leaders, speaking of the Dutch. 'We are rivals for the fairest mistress in all Christendom: trade.' [2]

[1] *Sir Thomas Overbury his Observations upon the State of the XVII Provinces as they stood* A.D. 1609, *Works*, ed. 1856, 227, 246.

[2] Burton's *Parliamentary Diary*, iii. 394.

The Stuart kings were indifferent to the fate of Protestantism, and, regardless of the traditions of English policy, fostered this commercial animosity. Every one of them was hostile to Holland, In 1620 James I concerted with Gondomar, the Spanish ambassador, a joint attack on Holland. In 1631 Charles I signed a secret treaty with Spain for its partition, and in 1670 Charles II signed one with France for the same object and attacked the Dutch in 1672 to carry it out. But the English nation, while it was ready to fight the Dutch for the possession of colonies and trade, or in order to obtain the mastery of the seas, did not wish to see Holland partitioned, even though England obtained a slice of Dutch territory. Still less did it desire to see Holland conquered by France, which was beginning to absorb the Spanish Netherlands. At each treaty between France and Spain the French frontier crept farther north. Arras and other towns in Hainault, Flanders, and Artois were ceded in 1659, Lille and a dozen more in 1668, Valenciennes, Cambrai and others in 1678. This process excited an apprehension which soon swallowed up jealousy of the commercial progress of the Dutch. In 1668 England formed an alliance with Holland and Sweden in order to prevent the conquest of Flanders from being completed. Burnet calls the Triple Alliance 'the masterpiece of King Charles's life, and if he had stuck to it, it would have been both the strength and the glory of his reign.' [1] Charles did not stick to it, but made instead the Treaty of Dover with France in 1670, by which Sluis, Kadzand, and parts of Zealand were to be the price of England's participation in a war against Holland. In pursuance of it he attacked Holland in March 1672, but was forced by Parliament to make peace in February 1674. English hostility to France rose steadily. Between 1674 and 1678 the House of Commons presented address after address calling on the King to put a stop to the progress of the French in Flanders. Pamphleteers and members of Parliament held the same language. The Spanish Nether-

[1] Burnet, *History of My Own Time*, i. 456.

lands, wrote Andrew Marvell, had always been considered as 'the natural frontier of England.'[1] 'If Flanders be swallowed up,' said Sir William Coventry, 'there is nothing betwixt us and France.' 'Whenever the French touch Flanders England is in a flame,'[2] said another member. Courtin, the French ambassador, told his government in April 1677, that the Lower House had unanimously voted that they would sell even the shirts off their backs to maintain a war against France for the preservation of the Netherlands.[3] Charles II had to yield to the will of his subjects. On November 4, 1677, he married his niece Mary to the Prince of Orange; on December 31 he concluded a treaty with the Dutch for imposing terms on Louis XIV; in January 1678 he asked Parliament for money to raise an army to enforce the treaty. Parliament answered by voting that thirty thousand fresh troops should be levied to reinforce the ten or twelve thousand men of the existing army, and that a fleet of ninety ships should be put to sea. During the next three months nearly the whole of the thirty thousand were raised and equipped. While they were being levied the Guards and Coldstreams were sent to garrison Bruges and Ostend. By May the new army was ready for service. 'All the new raised troops are better than could be expected,' wrote the Duke of York, 'I never saw so many good-looking new men in my life, and I could not have believed the horse would have been so good as they are.'[4] 'It was confessed,' said Sir William Temple, 'by all the foreign ministers that no king in Christendom could have made or completed such a levy as this appeared in such a time.'[5]

About ten thousand of the new army were actually sent to Flanders, and a few of them may have fought at

[1] Marvell, *Works*, ed. Grosart, iv. 265, 319, 363.

[2] Grey's *Debates*, iv. 189, 245.

[3] Rousset, *Louvois*, ii. 309 (ed. 1879).

[4] The Duke of York to the Prince of Orange, May 31, 1678: Dalrymple, *Memoirs*, i. 228.

[5] Temple's *Works*, i. 353 (ed. 1754).

Mons on August 4, 1678, under the Prince of Orange, as Lord Ossory did, but the rest had no chance of showing their mettle. On May 17 Charles II had made a secret treaty with Louis XIV, by which, in return for a subsidy, he promised to disband his forces and prorogue Parliament. Besides this, on July 31 the Dutch made peace with France. So the new army was disbanded at the beginning of 1679, and the government of Charles II became once more subservient to the designs of Louis XIV. Ten years later the Stuarts were overthrown and the policy the Parliament had adopted in 1678 became the permanent national policy of England, namely, alliance with the Dutch for the defence of the Netherlands against France. During more than twenty of the sixty years which followed the Revolution of 1688 our armies were campaigning in Belgium under William III, Marlborough or Cumberland, and side by side with the Dutch. The terms of the successive treaties which closed the different stages of the war show what the English and Dutch were fighting for. The aim of both was mainly defensive. The Dutch aimed at establishing a bulwark against France on the Belgian frontier. After the treaty of Ryswick in 1697 their garrisons occupied certain fortresses ; the Treaty of Utrecht in 1713 transferred the Netherlands from Spain to Austria, and confirmed this occupation. Finally, by the treaty signed at Antwerp on November 15, 1715, between Holland and Austria, the Dutch obtained the right to garrison a line of fortresses stretching from the Meuse to the sea, from Namur to Ypres.[1] This agreement, known as the Barrier Treaty, was guaranteed by England.

The English counterpart to the Barrier Treaty was the ninth article of the Treaty of Utrecht, which stipulated for the demolition of the fortifications of Dunkirk and its destruction as a military harbour. For while Holland sought to guard against a French attack by land through Belgium, England's object always had been to prevent the Belgian

[1] A map showing the barrier towns is given at p. 397 of Dollot's *Origines de la neutralité de la Belgique.*

ports from being utilised for invasion or for attacks on her trade. In the hands of the Spaniards Dunkirk had been the head-quarters of privateers who infested the Channel and the North Sea. Hence the satisfaction with which English merchants regarded its acquisition by Cromwell in 1658. When Charles II in 1662 sold Dunkirk to Louis XIV it became a greater danger than it had been in the feeble hands of Spain. 'We shall never be quiet till Dunkirk is out of his hands,' said a member of Parliament in 1678, 'in the very mouth of the Thames, a new Algiers set up in Christendom midway betwixt your great rendezvous, northward and westward, of all your shipping.'[1] During the wars of William III and Queen Anne the corsairs of Dunkirk were the most persistent and successful enemies of English commerce,[2] and since it was impossible to occupy and hold the place it was necessary to make it innocuous. 'We may as soon let the French fortify Dover as keep up the fortifications of Dunkirk,' wrote a celebrated pamphleteer.[3]

The policy embodied in these arrangements sacrificed the interests of Belgium to the security of England and Holland. The continued insistence of the Dutch on the closing of the Scheldt and the suppression of the Ostend Company in 1727 demonstrated its selfishness still more completely. It was impossible, however, that restrictions of this nature should be permanently imposed on the sovereignty of states such as France and Austria. The first to go was Article IX of the Treaty of Utrecht. There were continual complaints that the demolition of the fortress and port of Dunkirk had not been carried out, or that they were being reconstructed. The article was repeated again in our treaties with France in 1748 and 1763, but abandoned in 1783.[4] As to the Barrier Treaty, the number of fortresses

[1] Grey's *Debates*, v. 308.
[2] See H. Malo, *Les Corsaires Dunkerquois et Jean Bart*, 2 vols., 1913-4.
[3] Toland, *Dunkirk or Dover*, p. 32.
[4] Fitzmaurice, *Life of Shelburne*, i. 286; ii. 177.

occupied was first reduced, then the remaining ones were allowed to fall into decay, finally they were dismantled by Joseph II. But Joseph was unsuccessful in his attempt to open the Scheldt to commerce : he left that for the French Republic to accomplish in 1792.

The French Revolution destroyed all the artificial arrangements for the security of England and Holland which eighteenth-century diplomatists had devised. In 1792 the French under Dumouriez overran Belgium. The younger Pitt was more slow to intervene than Chatham would have been ; he did not act until it became clear that Belgium was to be annexed to France, and that Holland was to be attacked from Belgian soil. In 1793 and 1794 our little army under the Duke of York endeavoured, in conjunction with the Austrians, to recover Belgium, and, when this was impossible, to defend Holland. We failed to attain either object. Holland became a nominal republic in subjection to France, to be employed as a basis for the invasion of England. The refusal of Napoleon to evacuate Holland was the real cause of the rupture of the Peace of Amiens, and that event was followed first by the conversion of the republic into a subject kingdom (May 1806), finally by its annexation to France (July 1810). Belgium, formally united to France in October, 1795, was for twenty years under French rule. In the hands of Napoleon Antwerp was made a great military port and fortress, 'a loaded pistol held at the head of England,' as he termed it. For that reason we undertook the expedition to Walcheren in 1809, and made the cession of Antwerp an indispensable condition in our later negotiations with Napoleon. 'I must particularly entreat you,' wrote Castlereagh to the English ambassador at Vienna, 'to keep your attention upon Antwerp. The destruction of that arsenal is essential to our safety. To leave it in the hands of France is little short of imposing upon Great Britain the charge of a perpetual war establishment. After all we have done for the Continent in this war they owe it to us and to themselves to extinguish this fruitful

source of danger to both. Press this as a primary object of their operations.' [1]

When Napoleon fell, the old question how to prevent the absorption of Belgium by France had to be tackled again. This time it was settled in a new way, by creating a barrier state instead of a line of barrier fortresses. Belgium, as Lord Grenville had proposed in 1798,[2] was annexed to Holland to form the kingdom of the United Netherlands. Under Wellington's supervision the old border fortresses were restored and sixty million francs out of the indemnity paid by France were devoted to their reconstruction. The solution of 1814 was more natural and more equitable than the expedient adopted in 1715 because it charged the Belgians with the defence of their own country. On the other hand the two parts of the United Netherlands were too different in race, in religion, and in interests to be amalgamated, and the unwisdom of the Dutch government alienated the Belgians from their rulers.

In 1830 the Belgians revolted and proclaimed their independence. The five great powers of Europe recognised that independence and imposed on Belgium as its price permanent neutrality in all European conflicts. They promised to respect that neutrality themselves and three of them have kept their pledges.[3]

The idea of an independent Belgium had been first suggested by Richelieu about two hundred years before; the conception of a neutral Belgium came from France too. It was fitting therefore that its realisation should be the work of Louis Philippe and Talleyrand as well as of Lord Palmerston. The solution of the Belgian question which England

[1] Castlereagh to Aberdeen, Nov. 13, 1813, Castlereagh Despatches, ix. 75.

[2] Grenville to Sir Charles Whitworth, Nov. 16, 1798 : *Dropmore Papers*, iv. 379.

[3] See René Dollot's *Les Origines de la neutralité de la Belgique*, Paris, 1902, 59–66, 121, 412. Richelieu suggested a free state linked to France by an offensive and defensive alliance, Mazarin a free state guaranteed by a defensive alliance with France and Holland. Neutralisation was suggested by France in 1713.

and France devised and imposed by their joint efforts on the other powers was the real beginning of the Entente Cordiale. For while all the earlier devices for solving it had been the outcome of the hostility between the two nations, this was based on their agreement. There were times during the reign of Napoleon III when his tortuous intrigues threatened Belgium and might have produced a fresh conflict. England then by her diplomacy as firmly defended Belgian independence against the second Empire [1] as she is now defending it in arms in union with the third Republic.

There is no more honourable episode in the history of our foreign policy than this quiet, unremitting defence of Belgian independence between 1851 and 1870, but it has never been told in detail because the restrictive policy of our Foreign Office debars historians from access to the papers in which it is recorded. In the same way since 1871 our diplomacy has, whenever necessary, supported Belgian independence against Germany, but the documents which would prove it are sedulously kept secret. 'We have great and vital interests in the independence of Belgium,' said Sir Edward Grey in his speech on August 3, 1914, and it is desirable that our past action to maintain those interests should be better known. A government which depends upon opinion should take more care that the nation is well informed about fundamental principles of British foreign policy. As a small contribution I have endeavoured to show that before the Belgian state existed we had great and vital interests in the Netherlands.

[1] The best account of this episode is contained in *The Life of Frère-Orban*, by M. Paul Hymans, vol. ii. Brussels, 1910. The author is now the Belgian ambassador in London.

THE DESPENSER WAR IN GLAMORGAN

By J. CONWAY DAVIES, M.A., F.R.Hist.S.

Read November 19, 1914

As an isolated episode the Despenser war is of little interest and less importance, but taken as a characteristic expression of baronial opposition and royal policy as controlled by favourites, it assumes a position of considerable importance in the reign of Edward II. The events in Wales during the reign have a real and intimate connection with the great crises in the struggle between the King and his barons. This was to some extent inevitable. By crushing the last traces of independence in Wales, Edward I had removed a dangerous enemy of the English Crown. He failed to effect the corollary that such a fact involved. The marcher privileges remained undiminished, and the marcher energies which could no longer find employment in the struggle against the Welsh, sought a new direction in the fertile field of English politics. It was in the troubles that followed the divisions of the Gloucester inheritance among the co-heiresses that the real expression of baronial feeling in the marches was made, and the real strength of the baronial power realised. Questions of great constitutional importance were involved in the dispute. The present intention is to give merely the chronicle of events which led up to the outbreak and a summary of its immediate results.

In 1306 Hugh le Despenser the younger had married Eleanor, the eldest [1] daughter of Gilbert the Red, Earl of

[1] Cf. *Cal. Pat. Rolls*, 1313–1317, p. 660; *Chron. Landavense* (*Cotton MS. Nero*, A. iv.), f. 53*b* (*cf.* Clark, *Cartæ de Glam.*, iii. 1088); *Flores Hist.*, iii. 194; J. de Trokelowe, *Annales*, p. 86; *Chron. Ed. I and Ed. II*, vol. ii., Auct. Malmes. p. 254; *Rot. Parl.*, i. 353.

Gloucester, and the sister of the Earl Gilbert slain at Bannockburn.[1] On the death of her brother in 1314 this union assumed a sinister significance. Eleanor and her sisters Margaret and Elizabeth were left as the co-heiresses of the vast Gloucester estates. Margaret, the second sister, had married Peter Gaveston, and after his death, Hugh D'Audley,[2] a man of little note but considerable ambition. The youngest sister Elizabeth married as her third husband Roger Damory, who was well in the royal favour.[3]

There are frequent references in the Welsh chroniclers to the battle of Bannockburn, and to them the outstanding feature of the conflict was neither the defeat of the English nor even the victory of the Scots, but the death of the Earl of Gloucester.[4] He occupied a predominant position in South Wales, and his death was to have important results upon that country. It was the direct cause of one revolt of the Welsh [5] and the indirect cause of another and more serious attack.[6] The division of the Gloucester lands was likely to prove a difficult and delicate matter, as each of the husbands was ambitious and the possessions of the family too vast and its position too exalted to make the distribution of the estates a purely personal matter. It was of supreme importance to the barons that no one who was inimical to their policy should have the control and revenues of such a considerable portion of the country. The gravity of the position was not lessened but postponed by the attitude of Matilda, the widow of Gilbert de Clare.

On July 10, 1314,[7] soon after the battle [8] the Escheators

[1] *Chron. Pierre de Langtoft*, ii. 368.

[2] *Vide* references on p. 21, note 1.

[3] *Flores Hist.*, iii. 194 : ' ex dono regis sibi vinculo maritali conjunxit.' She had previously married (1) Theobald de Verdon (*Flores Hist.*, iii. 194), and (2) John de Burgo. (J. de Trokelowe, *Annal.*, p. 86.)

[4] *Llanstephan MS.* (Nat. Lib. Wales) 148, f. 98*b*, *s.a.* 1314 : ' y bu llallfa y seison yn ystriflen yn y gogledd ac y llas Jarll Clar.'

[5] The war described in the records as taking place immediately after the Earl's death.

[6] The revolt of Llewelyn Bren.

[7] *Rot. Parl.*, i. 353 ; *Cal. Fine Rolls*, 1307–1319, p. 201.

[8] The battle of Bannockburn was fought on June 24.

on both sides Trent were ordered to take into the King's hands, without delay, all the lands of the Gloucester inheritance, and to retain them until the King should order otherwise. The extent of the lands and their full value was to be determined by inquisition. It was found that the earldom was extended at the tremendous total of £15,000.[1] Gilbert de Clare had no children and the inquisitors returned that unless the widow were pregnant the heirs were his three sisters.[2] The Countess Matilda was, however, believed to be pregnant[3] or, as events showed, feigned a convenient pregnancy and for two years prevented the partition of the lands. Hugh le Despenser was naturally extremely anxious to obtain seisin of his wife's share of the inheritance[4] and appeared at the Chancery at Westminster and afterwards before the King's Council, there to demand his wife's purparty according to the law and custom of the realm, offering his homage, fealty, and all due service.[5] He again appeared at Westminster and later at Lincoln before the Council and pleaded his right, urging Magna Carta. The King's serjeants urged the Countess's pregnancy, Hugh replying that sufficient time for the birth of issue had elapsed since the Earl's death. On the King's behalf the pregnancy was claimed to be common knowledge,[6] but owing to the novelty of the point the matter was adjourned to the next Parliament. Further efforts by Hugh

[1] *Chron. Landav.* (*Cotton MS. Nero*, A. iv.), *s.a.* 1321, f. 53*b*. (*cf.* Clark, *Cartæ de Glam.*, iii. 1088).

[2] There was considerable diversity in the returns made to the King. The majority returned that if the Countess were not pregnant the heirs were Eleanor, Margaret and Elizabeth. Others substituted Isabella for Elizabeth. The London inquisition did not know who was the nearest heir on the ground that the Countess was pregnant. Because an Isabella was named as an heiress the escheator was ordered to investigate the matter further. (*Rot. Parl.*, i. 353.)

[3] J. de Trokelowe, *Annal.*, p. 86 ; *cf. Flores Hist.*, iii. 342.

[4] His eagerness brought him into collision with the King ; cf. *Cal. Inq. P. M.*, v. 351–2 (1315).

[5] *Rot. Parl.*, i. 353.

[6] *Ibid.*, i. 354 : ' fuit et est publica vox et fama.'

to expedite matters were equally unsuccessful.[1] It would seem that Hugh was not at this time well in the royal favour, for the King did nothing to urge his claim, perhaps because the Crown obtained a substantial revenue from the Gloucester lands. In January 1316, Hugh again claimed his wife's portion of the inheritance at the Parliament of Lincoln, but owing to a mistake in his procedure again failed to obtain satisfaction. The plan of appointing custodians on the King's behalf as recommended by the King's Council was finally adopted.[2]

Two years had elapsed since the death of the Earl, but the long wait had been in vain.[3] No child had been born to the Countess and her hopes had proved but illusory. She could not impose upon the credulity of the Council any longer. John de Sandale informed the King of the Council's decision in the matter and the fealty of the three husbands was received.[4] The partition remained to be made and this was likely to prove an awkward business. It entailed a further delay of several months, but finally the patience of the heiresses was rewarded.

The partition was made by Hervey de Stanton, John de Foxle and William de Ayremmyne,[5] and the partition having been handed into the Chancery the delivery of the portions of the inheritance was ordered on November 15, 1317.[6] Despenser obtained the lordship of Glamorgan, which included the castles of Llanblethian, Kenfeg, Neath, Llantri-

[1] *Rot. Parl.*, i. 354.

[2] *Ibid.*

[3] J. de Trokelowe, *Annal.*, p. 86 : ' Comitissa ipsius uxor impregnata fuisse credebatur expectabaturque per biennium si forte foetum produxisset et cum tempus pariendi tam prolixo tempore frustra pertransiit divisa est ejus haereditas ' ; *cf. Flores Hist.*, iii. 342.

[4] *Rot. Parl.*, i. 355.

[5] *Cal. Pat. Rolls*, 1313–1317, p. 666. A similar writ was sent to the Justice of South Wales.

[6] *Cal. Fine Rolls*, 1307–1319, p. 350. The partition itself was not entered on the Close Roll, probably on account of its great length, but was preserved on separate rolls—*P.R.O. Chan. Misc.*, 9/23–26, formerly *Misc. Rolls* (*Chan.*), 3/7–10.

sant, Caerphilly and Whitchurch, as well as the towns, manors and other appurtenances which were situated round the castles and the 'patrias' of Ruthin, Talevan, Llanhary, Tyriarhyn, Neath, Glynrhondda, Miskyn and Senghenydd, the annual value of which was estimated at £1319 6*s.* 9*d.*[1] The total value of the grants to Despenser in Glamorgan alone reached £1936 15*s.*[2] The partitioners were in doubt as to the relation of the county of Gwennllwyg, which was granted to D'Audley, to the lordship of Glamorgan which fell to Despenser.[3] Here was fruitful soil for dissension, and Despenser at once sought to enforce any rights which his tenure of the lordship of Glamorgan gave him over the county of Gwennllwyg. Previously Gwennllwyg appears to have been regarded as a part of the honour of Glamorgan, but now all such rights were withdrawn and the county separated entirely. Gwennllwyg was to be held directly from the Crown.[4] Despenser could therefore claim no legal ground for his attitude. Damory obtained some territory flanking the lordship of Glamorgan on the west. He became the lord of Usk and its appurtenances.[5]

No sooner was the partition completed and the inheritance obtained than the three husbands commenced intriguing against each other. Each was desirous of obtaining more land, though until the cunning plots of Hugh sprang out afresh the other two had each peacefully accepted his share.[6] There can be no doubt that in the ensuing disputes Despenser was the aggressor and the other two parceners were able to figure as the aggrieved persons. Avarice was not a monopoly of the Despensers and each of the rivals allied himself to a party in the state. Despenser had been, at

[1] *P.R.O. Chan. Misc.*, 9/24: cf. *Cotton MS. Julius*, B. xii. ff. 169–70. *Cf.* Clark, *Cartæ de Glam.*, iii. 1050–6.

[2] *Ibid.*

[3] *P.R.O. Chan. Misc.* 9/24.

[4] *Ibid.*: 'Comitatu de Wenthlok in nullo subiacent seu intendant set solomodo corone Angliae imperpetuum.'

[5] *P.R.O. Chan. Misc.*, 9/25: cf. *Cal. Inq. P. M.*, vi. pp. 8–12.

[6] *Flores Hist.*, iii. 194: 'usque ad versutas insidias ipsius Hugonis noviter suscitatas possedit quilibet pacifico partem suam.'

least nominally, an adherent of the Lancastrian faction. The Parliament of 1318, in which the Middle Party influence was predominant, nominated him to the position of King's Chamberlain.[1] Soon after he is found as the chief power at court. His position as Chamberlain brought him into close personal contact with the King, and it is possible that thereby Edward's dislike [2] of him gave way first to intimacy and finally to infatuation. It is more probable that Despenser saw that it would be to his advantage to cultivate the favour of the King. His position gave him ample opportunity to achieve his object. It is certain that it was in the critical period when these rivals were struggling for the advantage that the younger Despenser finally identified himself with the royal policy.[3]

He desired to hold the position in South Wales that the Earl of Gloucester had held previously. In pursuit of this object he sought to obtain a grant of full sovereignty over the lordship, as complete as any Earl of Gloucester had possessed. This he obtained on March 21, 1318. Edward I had curtailed the privileges of the Lord of Glamorgan by taking the lands into his hands on the disobedience of Gilbert the Red, who persisted in private war with the Earl of Hereford,[4] and this limitation Hugh hoped to overcome. By the King's special grace and with the assent of the earls, prelates and magnates assembled in Parliament at York, all royal and other liberties and free customs which Gilbert the father of Eleanor or any of her ancestors had exercised

[1] H. Cole, *Documents illustrat. Engl. Hist. 13th and 14th Centuries*, p. 4. In the process of exile against him it is stated that 'he was nominated and agreed upon as king's chamberlain in the parliament of York.' (*Stat. of Realm*, i. 181.) J. de Cherleton was still Chamberlain on April 19, 1318. (*Cal. Pat. Rolls*, 1317–1321, p. 133.) Baker is entirely wrong when he makes Despenser Chamberlain in 1314. (*Chron. Geoff. le Baker*, ed. E. M. Thompson, p. 6.)

[2] *Chron. Geoff. le Baker*, ed. E. M. Thompson, p. 6 : 'Rex antea nedum minime dilexit immo odivit.'

[3] On July 20, 1318, the two Despensers were first summoned after the earls to Parliament (*Parl. Writs*, II. ii. 564). Previously they had occupied a lower position on the list of barons.

[4] Cf. *Cal. Misc. Chanc. Rolls*, *Welsh Roll*, pp. 334–49.

in Glamorgan and Morganwg were granted to Hugh, his wife and her heirs. The liberties were to be enjoyed without hindrance from the King or his officials notwithstanding any gifts, surrenders or quitclaims which her father had made to Edward I.[1]

Despenser then stealthily pursued a policy of encroachment on his rivals D'Audley and Damory.[2] He endeavoured to deprive them of their lands by force, craving to usurp all portions of the three sisters and so obtain for himself the power if not the title of Earl of Gloucester.[3] His avarice knew no bounds.[4] By harsh means and fraud he hoped to unite the whole earldom to himself.[5] By fair means or foul he was determined to get the whole inheritance.[6] This version, exaggerated as it is in the chroniclers, is substantially borne out by the charge brought against him in 1321 that he had attempted to obtain the lands of the other heiresses.[7] Not content with attempting to oust his rivals he attacked the marcher privileges and appeared to the marcher lords, who were at this time a ruling caste in the kingdom, as the treacherous destroyer of their franchises and seemed to them to seek their total disherison and death.[8] They said that legal proceedings were perverted to achieve his purposes,

[1] *Cal. Charter Rolls*, iii. 1300–1327, 398–9.

[2] The impression conveyed by the chroniclers is that Despenser sought to disinherit his brothers-in-law entirely. There is no evidence at all that he sought to obtain possession of their English lands. His endeavour was to make South Wales the seat of his power. Cf. *Engl. Hist. Rev.*, xii. (1897) 755.

[3] *Chron. Landav.* (*Cotton MS. Nero*, A. iv. f. 53*b*) : *cf.* Clark, *Cartæ de Glam.*, iii. 1088.

[4] *Chron. Lanercost* (Bannatyne Club), p. 241 : 'homo cupidissimus.'

[5] *Ibid.*: cf. *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 254 : 'omni studio et tota mente terras vicinas dominio suo nitebatur amplificare.'

[6] *Flores Hist.*, iii. 194 : 'in arcum pravum conversus igneque cupiditatis intus accensus, ad integrum honorem comitatus Gloucestriae per fas vel nefas obtinendum totis desideriis anelabat.'

[7] *Vide below*, pp. 60–1 : cf. *Cal. Close Rolls*, 1318–1323, pp. 492–4.

[8] *Flores Hist.*, iii. 194–5 : 'quinetiam omnes Marchiae barones multosque Aquilonares ad cumulum ignominae suae fraudulenter conabatur exterminare.'

and one chronicler goes so far as to say that he obtained the outlawry [1] of Damory and D'Audley by justices of trailbaston sitting at Gloucester, by treachery and falsehood, and that he had done this with the object of acquiring their lands.[2] All this planning must have aroused inevitably a strong and bitter opposition. There was a natural resistance on the part of Damory and D'Audley. A strong power in Glamorgan, intimately associated with the King and his policy, was not likely to commend itself to the favour of the other marchers. Self-preservation demanded that they should throw in their lot in resolute opposition to the plans of the young Despenser. As his influence at court became greater his plan assumed a more aggressive form. There was a concurrent welding in the ranks of the opposition and an increase in the number of interests that joined. As long as the quarrel remained a personal matter between Despenser and his brothers-in-law there was no danger of armed interference on the part of the barons : when Despenser delivered his great assault upon marcher privilege in the Gower dispute such interference became inevitable.

Despenser foresaw the course of events and determined to anticipate them. Before Hugh D'Audley, to whom Gwennllwyg and Machen had been assigned, could take homage from the men of those parts, Despenser had made an indenture with them to receive their fealties.[3] The very worst interpretation was at once put upon this action, and little can indeed be said in defence of it, unless it be that Despenser was merely seeking to enforce the claims of the lordship of Glamorgan over the county of Gwennllwyg.[4] This claim had

[1] This is a gross misrepresentation, as D'Audley forfeited his lands on account of his failure to keep a compact he had made with the King. (*Vide below*, p. 50.) Spigurnel, J. was at this time acting as justice of oyer and terminer at Gloucester and pronounced the sentence of forfeiture —hence probably the chronicler's assertion. There is no record of any such judgment on the Assize Roll. (*Engl. Hist. Rev.*, xii. (1897), p. 761, note 54.)

[2] *Flores Hist.*, iii. 345.

[3] *P.R.O. Parliamentary Proceedings*, File 4/22 ; *Cal. Pat. Rolls*, 1317–1321, p. 103.

[4] *Vide above*, p. 25.

however been explicitly denied. Despenser had therefore treacherously and as if by force taken Newport and the whole land of D'Audley there, and by force he meant to keep it. The deed was against all justice.[1] The men of Gwennllwyg and Machen wished to obtain the same privileges as the men of Senghenydd, Miskyn, Glynrhondda, Neath, and the remainder of the lands of Hugh in Glamorgan. The object for which this indenture was made was stated to be 'to allay the divers dangers of war and to maintain and safely guard the peace of the lord king.'[2] Despenser was to exhibit the usages and customs which the tenants had shown him in the presence of the abbots, priors, Sir Robert de Sapy and others to the King, his decision on the matter being desired. If the King did not wish to allow these usages and customs, Despenser granted to the commonalties of Gwennllwyg and Machen a grace of fifteen days, within which time another indenture might be drawn up which might prove suitable.[3] When D'Audley and his wife went to receive the homage and fealty due to them from the men of Gwennllwyg and Machen the latter refused to perform it. On December 12, 1317, the King commanded the knights, freemen and others of the county of Gwennllwyg and the manor of Machen to do homage and fealty to D'Audley and Margaret, and Mortimer, the justice of Wales, was ordered to visit the district to enforce the execution.[4] This order was not final, for on January 30, 1318, John de Sapy was appointed to take the castle and

[1] *Flores Hist.*, iii. 342, *s.a.* 1317; *Chron. Edw. I and Edw. II*, vol. ii. Auct. Malmes. p. 254: 'fraudulenter intravit et tenuit.'

[2] *P.R.O. Parl. Proc.*, File 4/22: 'diuers perils de guerre e la pees nostre seigneur le Roy . . . parties meintenir et sauuement garder.' The King's version differs: 'Hugh le Despenser took fealty of certain of the knights and tenants under certain conditions for his own use.' (*Cal. Pat. Rolls*, 1317–1321, p. 103.)

[3] *P.R.O. Parl. Proc.*, File 4/22. This interesting document was sealed by Hugh le Despenser and William de Berkerolls. On behalf of the commonalty of Gwennllwyg, Llewelyn ap Ivor, Howel ap David, Howel ap Ieuan, Meuric Vachan the son, Meuric ap Reynolf, Meuric ap Madoc ap Howel, witnessed it, and for Machen, Howel ap Meruagh and Wrenok ap Ieuan. Dated at Cardiff, December, 10 Edw. II.

[4] *Cal. Pat. Rolls*, 1317–1321, p. 60.

town of Newport, with various manors in Gwennllwyg, into the King's hand and to receive the issues of the land from the day on which the partition was made.[1] Sapy went to the county but utterly failed to achieve his mission. He was unable to find anyone who was prepared to obey him or answer him as keeper.[2] Despenser had made sure of his ground and the terms he had offered the men of those parts were liberal enough to make them withstand even the royal representatives. Owing to the ill-success of John de Sapy more stringent orders were issued. John Walwayn, escheator on this side Trent, was ordered to resume into the King's hand the castle, town, manors and county.[3]

Whether as the result of an amicable settlement, or because D'Audley despaired of ever obtaining full possession of his lands in Gwennllwyg, it is impossible to say, but in December 1318 Hugh D'Audley and his wife obtained licence to enfeoff Despenser and his wife of the castle and manor of Newport, the manor of Stowe, Rhymney, Dowlais, Machen, Duffryn Ebbwy[4] with other lands, excepting those held in dower by the Countess Matilda.[5] Early in 1320 licence was again sought for the same lands,[6] and later in that year licence was given to D'Audley and Despenser to exchange lands, Despenser giving various knights' fees in England in return for the castle and manor of Newport and the other various manors.[7]

The attitude of the King throughout these proceedings had been none too favourable to Despenser. When the conditions of the indenture had been shown to him he held them to be of no effect.[8] When the matter came before the King and Council the plans of Despenser were rejected

[1] *Cal. Pat. Rolls*, 1317–1321, p. 103.
[2] *Ibid.* pp. 120–1.
[3] *Ibid.* (March 14, 1318.)
[4] 'Frenboth.'
[5] *Cal. Pat. Rolls*, 1317–1321, p. 257. Note the recognition of the King's right to give alienation for land in the marches by licence.
[6] *Ibid.*, p. 415. (January 10, 1320.)
[7] *Ibid.*, p. 456. (May 12, 1320.)
[8] *Ibid.*, p. 103.

and it was decided that the castle and town of Newport should be restored to D'Audley as belonging to his wife's purparty.[1] After postponement and adjournment Hugh finally appeared in the King's chamber at Westminster [2] and said that he had released all those whose oaths he had taken, that he had entirely withdrawn from the occupation he had made, and that he claimed nothing in those parts contrary to the form of the partition.[3]

The activities of Despenser were not confined to Glamorgan. Carmarthen lay conveniently near and was likely to prove a useful acquisition. Thither he turned his desires and aims. On November 18, 1317, he obtained a grant for life of the castle and town of Drusslan, and Cantrefmawr with knights' fees and all appurtenances in satisfaction of 600 marks due to him for staying with the King. This grant deeply impressed the Welsh, for Cantrefmawr was the heart and centre of the possessions of the old princes of South Wales and contained their ancient stronghold in time of trouble and tribulation, and their royal residence. The grant is recorded in the native chroniclers.[4] The keeper failed to obey the royal order to deliver, and a regular conspiracy against Hugh to obstruct him and his ministers in every conceivable way seems to have been formed. Hugh's officials had been removed, those who had sworn fealty to him were imprisoned, distraint was made upon those who had paid the issues to Hugh, and the tenants were forced to find security not to answer Hugh or his officials.[5] Edmund Hakelut, constable of the new town of Llandilo, was also ordered to deliver them to Hugh.[6] Notwithstanding these stringent orders Hugh does not

[1] *P.R.O. Parl. Proc.*, File 4/22 (dorse). [2] *Ibid.*

[3] *Cal. Pat. Rolls*, 1317–1321, p. 103; *P.R.O. Parl. Proc.*, File 4/ 22d.

[4] *Llanstephan MS.* (Nat. Lib. Wales), 148, *s.a.* 1318, f. 98*b*: 'y rhoddes y brenin y cantref mawr i Huw Spenser jeuangc.'

[5] *Cal. Close Rolls*, 1313–18, pp. 534–5.

[6] *Cal. Pat. Rolls*, 1317–21, p. 130. The custody of the castle of Dynevor had been granted to Hakelut for life for good service rendered, and in compensation the King made him a grant (April 4) of 50 marks a year, payable at the Exchequer of Carmarthen. (*Ibid.*)

appear to have enjoyed peaceful possession, and the lands were seized into the King's hand and Hakelut was again appointed custodian.[1] On November 28, 1318, the lands were again granted to Hugh, this time with the assent of the Parliament at York.[2] From this time on he had peaceful possession and endeavoured to obtain the goodwill of his tenants by obtaining favours on their behalf from the King, including pardon from the fifteenth of their goods granted as a subsidy for the Scotch war.[3] Hugh had leased the castles of Drusselan and Dynevor and the whole of Cantrefmawr for a term of seven years at a yearly rental of 500 marks payable at his Exchequer of Cardiff.[4] Despenser's possession of Cantrefmawr led him into difficulties with John Giffard the lord of the neighbouring Cantref Bychan, which was to raise one more enemy for the host which was gradually gathering against him. Disputes broke out between the tenants of the two lords and Hugh gave permission to take distraint from Giffard's men of Cantref Bychan for the many grievances which those men had done them, and concerning which they had complained to him. When Giffard heard this he begged Despenser to pass it over and to order his men to remain in peace, without doing any evil towards him or his men, and if anything was taken unlawfully he would make redress well and suitably. Thereupon the men of Cantrefmawr were ordered through John Inge, sheriff of Glamorgan, to endure it and remain entirely at peace and not to molest Giffard's men since he wished to do them justice.[5] All petty disputes of this nature increased the irritation, and a combination of such quarrels all over South Wales produced the Despenser war.

Content with the success of his endeavours in the heart

[1] *Cal. Close Rolls*, 1318–1323, p. 1 (July 11, 1318).

[2] *Cal. Pat. Rolls*, 1317–1321, pp. 248, 255–6. The financial terms of the grant were slightly altered.

[3] *Ibid.*, p. 266 (January 10, 1319).

[4] *P.R.O. Ancient Deed*, A 4878; *Descr. Cal. Anc. Deeds*, iii. 116.

[5] *P.R.O. Ancient Correspondence*, vol. xxxvii. no. 6.

of Carmarthenshire, and having achieved fair success in his schemes against D'Audley, Despenser turned his attention to another plan—an attempt to obtain the honour of Gower. The peninsula was adjacent to his Glamorgan lands and naturally belonged to it.[1] Its possession would round off his territory in the west, and would make the river Loughor the boundary between his lordship and the lordship of Kidwelly which belonged to Henry de Lancastre. Gower was well fortified with castles and the isthmus stretching from the Loughor to the Tawe was strongly defended by castles at Loughor and Swansea. In every way the acquisition would have been admirable from Despenser's point of view, but his attempts to obtain it led to his undoing.

The then lord of Gower was William de Brewosa, the last representative of the great Brewosa family which had once held almost the whole of the great middle march. The house had degenerated and the last representative had had considerable trouble with his tenants and had been involved in a lengthy dispute with the Earl of Warwick over the lordship of Gower.[2] Brewosa was in straitened circumstances, due partly to his own profligacy [3] and was in the words of a chronicler 'a man of large patrimony but a large unthrift.'[4] For some time he had obtained money by the alienation of his lands without the royal consent which the King deemed necessary.

In 1315 William de Brewosa had sought to settle certain of his manors and the reversion of other manors in England, which his mother held in dower, on himself for life, with remainder to John de Mowbray and Aliva his wife and the

[1] *Chron. Edw. I and Edw. II*, vol. i., Ann. Paul., p. 292 : 'ibidem de prope annexum.'

[2] Cf. *Rot. Parl.* i., *passim*; *Cal. Charter Rolls*, 1300–1327, iii. 46–7 ; *Cal. Pat. Rolls*, 1317–1321, p. 59.

[3] Capgrave (*Chron. of Engl.*, p. 186) calls him a 'gret wastoure of good.'

[4] Walsingham, *Hist. Angl.*, i. 158 : 'praedives a parentela sed dissipator substantiae sibi relictae.'

heirs of their body,[1] but he specifically retained the barony of Gower.[2] The inquisition which this entailed stated that he held Gower in chief of the King by service of one knight's fee, and that the total annual returns amounted to £300.[3] Brewosa had two daughters,[4] Aliva,[5] who was the wife of John de Mowbray, and Joan the wife of John de Bohun of Midhurst.[6] The marriage between Aliva and Mowbray had taken place in 1298, when the latter was the ward of Brewosa.[7] Mowbray in the right of his wife regarded himself as the heir of Gower and expected to receive possession of it.[8] Brembre lay convenient for Bohun, so that was to fall to his lot.[9] Brewosa had excepted Gower from the settlement, because he wished to offer that portion of his hereditary possessions for sale to several

[1] *P.R.O. Ancient Petition*, no. 4549; *Chan. Warr.*, File 92, no. 3486 A.

[2] *List Inq. Q. D.* (List and Indexes No. 17), p. 169; *Cal. Inq. Q. D.*, p. 249.

[3] *P.R.O. Inq. Q. D.*, File 119/8 formerly 9 Edw. II, no. 204; *cf.* Clark, *Cartæ de Glam.*, iii. 1038.

[4] Brewosa appears to have had a son, William: cf. *Desc. Catalog. of the Penrice and Margam Abbey MSS.*, ed. W. de Gray Birch (1893), First Series, pp. 126–7, nos. 302–6, where there is a number of grants by 'William de Brewosa, lord of Llandimor, son and heir of Sir William de Brewosa,' of land in the fee of Llandimor to Sir Robert de Penres. The grants are dated between January 14 and April 18, 8 Edw. II (1315). It might be the death of this William de Brewosa that *Flores Hist.*, iii. 344, chronicles in 1320. In any case he must have died on or before that date, for on July 14, 1319 (*ibid.*, p. 128, no. 310), John Dany grants to Penres lands held of Sir William de Brewosa, lord of Gower in the fee of Llandimor.

[5] Trokelowe, *Annal.*, p. 107: 'quia filium aut alium haeredem praeter illum non habuit'; Walsingham, *Hist. Angl.*, i. 159: 'haeres unica fuit illi'; Walsingham, *Ypod. Neus.*, p. 253: 'unica haeres de tota terra.'

[6] *Cal. Inq. P. M.* vi. 435; Dugdale, *Baronage* (1675), p. 421*a*.

[7] *P.R.O. K.R. Misc. Book*, vol. i.; *cf.* Clark, *Cartæ de Glam.* (1891 ed.) iii. 589, *s.a.* 1298: 'desponsata fuit dompna Alina, filia dompni Willelmi de Brewes, Johanni de Mowbray in villa de Sweynese, etas pueri circiter viii annos.' In 1297 he had entered into an agreement to pay Roger Mowbray or his executors 500 marks for the marriage of his son John. (*Cal. Close Rolls*, 1296–1302, pp. 298–9.) After the death of Roger he had disputes with the executor over the recognisance of this debt. (*P.R.O. Ancient Correspondence*, vol. 35, no. 57; *Cal. Close Rolls*, 1307–13, p. 133.)

[8] Trokelowe, *Annal.*, p. 107; Walsingham, *Hist. Angl.*, i. 159.

[9] Carte, *Hist. of Engl.*, ii. (1750), 350.

lords,[1] and many marchers were attracted by the bait. The whole affair was a pure swindle, and the transactions have been well called 'the mediæval version of the confidence trick.'[2] The Earl of Hereford, whose lordship of Brecon lay conveniently behind Gower and touched it at several places,[3] and who desired it for his son,[4] even went so far as to give a deposit for the land,[5] and promised to pay the balance at no distant date, by which he felt he would have the primary possession of the land.[6] He arranged to enter the land as his own possession after he had obtained the royal licence. The two Mortimers, uncle and nephew, also sought to make a bargain with Brewosa. They did not know of the previous contract with Hereford, and they also made a bargain.[7] Lastly came the most dangerous buyer of all, Despenser.[8] Even in July 1318 there had been serious disturbance between the men of Glamorgan and those of Gower, and on August 3 a royal order was necessitated forbidding both Despenser and Brewosa from doing anything in breach of the King's peace.[9] Despenser did not allow the prohibition to thwart his plans, and on September 21, 1319, writing to John Inge, his sheriff of Glamorgan, he referred to the business touching Sir William de Brewosa which the sheriff had arranged, and on that business, as on all others concerning his lord, Despenser ordered him to arrange in all points according to what seemed to him most to the profit and honour of the lord of Glamorgan. Despenser would then soon obtain his wish by Inge's aid.[10] Inconclusive as the reference is, there can

[1] Trokelowe, *Annal.*, p. 107; Walsingham, *Hist. Angl.*, i. 158.

[2] T. Jones, *History of Breconshire* (1898 ed.), p. 76.

[3] Trokelowe, *Annal.*, p. 107: 'contigua fuit in multis locis et conjuncta.'

[4] *Chron. Edw. I and Edw. II*, i. 293, Annal. Paul.

[5] Trokelowe, *Annal.*, p. 107: 'pro quadam summa pecunie secum convenit.'

[6] Walsingham, *Hist. Angl.*, i. 159.

[7] Trokelowe, *Annal.*, p. 107; Walsingham, *Hist. Angl.*, i. 159.

[8] Walsingham, *Hist. Angl.*, i. 159: 'ad omnium malorum cumulum.'

[9] *Cal. Close Rolls*, 1318–23, p. 96.

[10] *Brit. Mus. Cotton MS. Vesp.* F. vii. f. 6: *cf.* Clark, *Cartæ de Glam.*, iii. 1065.

be no doubt that the whole time Despenser was pursuing his plans for the possession of Gower, and the facts disclosed in the letter, strengthened by other evidence, would go to show that there was some truth in the assertion of the chronicles that Brewosa had entered into a bargain with Despenser as well as with Hereford and the Mortimers.[1]

Despenser was at this time firmly established in the royal favour, and was likely to be supported in his efforts to obtain the barony by the full weight of the royal power.[2] He obtained special favour from Brewosa in the purchase of the land, so that finally he seemed like receiving it to the exclusion of all the others.[3] Though one chronicler gives the death of Brewosa as the occasion of the dispute [4] there now remains little room for doubt that the correct and immediate occasion of the trouble was the seizure of the castle of Swansea and the barony of Gower by Mowbray. This he did by virtue of a grant of the honour which Brewosa had made to him and his heirs, with remainder to the Earl of Hereford and heirs.[5] This turn of events did not suit Despenser, and so completely did he rule the King that the latter was prepared to do his bidding.[6] The King was personally prepared to see Mowbray in possession, and it

[1] *Vide above*, pp. 34–35.

[2] Trokelowe (*Annal.*, p. 107) and Walsingham (*Hist. Angl.*, i. 159) say he obtained the full royal favour: 'quia erat Domini Regis Camerarius.'

[3] Trokelowe (*Annal.*, p. 107) and Walsingham (*Hist. Angl.*, i. 159) definitely state that Despenser received possession, but this is hardly correct.

[4] *Flores Hist.*, iii. 344, *s.a.* 1320. Prof. Tout in his latest book, *The Place of Edward II in English History* (1914), p. 141, accepts this statement. Brewosa did not however die until 1326, the writ for the inquisition post mortem being issued on May 1 of that year. (*Cal. Inq. P. M.*, vi. 435.) The point is one of importance, as had Brewosa died before the seizure by Mowbray the whole question of alienation in the marches vanishes, and with it the least justification for Despenser.

[5] *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 292, states that a previous agreement had been made between Brewosa and Mowbray: 'facto prius quodam contractu super dicto feodo de Gower inter praedictum dominum de Breus et dominum Johannem de Moubrai generum suum.' Dugdale (*Baronage*, 1675, i. 420*b*) gives further particulars and states that the original contract was then in existence.

[6] *Flores Hist.*, iii. 344.

was only by the machinations of Despenser that this was frustrated.[1] The assent of the King had previously been obtained by Hereford, but still Hugh sought to upset the whole arrangement.[2]

Whatever might have been the exact conditions of these contracts, the whole importance seems to gather round the right of alienation in the marches. Tenants-in-chief, holding by knight service in England, had no right to alienate without the consent of the King. The custom on the matter was defined in the statute of *Quia Emptores* in which the liberty of alienation was not conceded to the tenants-in-chief. If a tenant in capite alienated without the consent of the King his land was forfeited.[3] This was without doubt the case in England, but in the marches different customs were held to prevail. Brewosa had made these contracts with Hereford, the Mortimers and Despenser, but there was a pre-contract, of earlier date, with Mowbray,[4] and this despite Brewosa's express exception of Gower in his application for a licence of alienation in 1316,[5] an exception which was probably due to unwillingness on the part of Brewosa to prejudice marcher privileges. He had had to make a stalwart fight to maintain and assert his liberties against Edward I.[6] Brewosa was determined to take no more risks,[7] and Mowbray took possession. But the land of Gower had been acquired without licence.[8] Despenser's next step was

[1] *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 293 : ' consensu domini regis super hoc per praedictum Hugonem perturbato.'

[2] *Ibid.*

[3] *Cf.* Holdsworth, *Hist. Engl. Law*, iii. 72–3 ; Pollock and Maitland, *Hist. Engl. Law* (2nd ed.), 1911, vol. i., p. 337 ; Stubbs, *Sel. Charters* (9th ed.), pp. 473–74.

[4] *Vide above*, p. 36 ; *cf.* Dugdale, *Baronage* (1675), i. 420*b*.

[5] *Vide above*, p. 34.

[6] *Rot. Parl.*, i. 143, 148–9 ; *Cal. Charter Rolls*, iii. 1300–27, pp. 46–7. *Cal. Close Rolls*, 1296–1302, p. 302.

[7] In making a grant to the abbey of Margam of free trading within his lands he expressly states that he made the concession with the assent of his heir. *Cf.* Clark, *Cartæ de Glam.*, iii. 1081 : ' consensu heredum meorum ' *circa* 1320.

[8] *Cal. Pat. Rolls*, 1321–24, p. 21.

clear. His plan was to prevent the licence being given by the King, and he well succeeded in his nefarious scheme.[1] When Mowbray sought to carry the alienation into effect, the King, on his own initiative or on the suggestion of Hugh le Despenser,[2] on the ground that he had entered into possession before licence had been obtained, ordered the seizure of Gower into his hands.[3] Immediately a question of the most serious import was raised, a question which concerned the rights and privileges of every marcher lord. If the privileges of one were transgressed an insidious precedent would be formed to which the Crown would not neglect to refer when convenient. It was definitely claimed by the King that the marcher lands were subject to the same laws as prevailed in England. The barons considered the claim intolerable.

The Earl of Hereford and Mowbray humbly appealed to the King against this violation of the custom of the march and against the prejudice which was likely to be done to march law. The innovation was against all custom and ancient usage. Despenser insistently urged the contrary, saying that the King always enjoyed the privilege and prerogative of granting or refusing licence both in England and in Wales. No one, without the royal licence, might enter his fief, and if such an attempt was made it would be confiscate to the Exchequer. Those who argued against this position, alleging the law and custom of the march, Hugh accused of treason.[4] Whatever may be said in defence of the position of the King on the question of alienation in the marches,

[1] *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 292.

[2] This latter is probably the correct solution: cf. *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 254.

[3] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 254; cf. *Cal. Fine Rolls*, 1319–27, p. 40.

[4] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., pp. 254–5: 'Instabat Hugo Despenser pertinaciter dicens dominum regem tam in Wallia quam in Anglia hac semper praerogativa gaudere, ut nullus sine licentia regis ingressum haberet in feodum quod de rege teneretur in capite. . . . Sprevit Hugo et consuetudines et legem Marchiae, sed et barones talia allegantes laesae majestatis videbatur arguere.'

when Despenser sought to prevent Mowbray having licence at all, a very serious breach of custom was being committed. It was quite usual to enter into possession even in England and then to make fine.[1] It was not customary to refuse to give licence on payment of a fine,[2] and it was made one of the charges against Despenser, in the process of exile, that he had prevented the King taking fines for entry without licence, and Mowbray's case was quoted as an instance.[3] This question occupied a prominent position in the petitions of the Commons on the accession of Edward III. They pray that no purchase of lands or tenements held in chief of the King, made without licence, should lead to the seizure of the lands into the King's hands or to forfeiture, but that by ordinance of the common council a fixed fine should be levied proportionately to the purchase.[4] The request was granted. No forfeiture was to ensue but a reasonable fine was to be levied in Chancery by due process.[5]

Even before the disputed succession to Gower, perhaps because of rumours of the doings of Brewosa, in 1319 a commission had been appointed to take inquisitions in the land of Gower to ascertain what lands had been alienated by Brewosa and his ancestors. Detailed enquiries were to be made, and lands held by knight service which had been alienated without licence in the reign of Edward I or the King were to be taken into the King's hands and the issues were to be answered for at the Exchequer. The King had been informed of the alienations of Brewosa, which were to the King's loss and contempt, and blame for

[1] *Vide Cal. Close Rolls*, and *Cal. Pat. Rolls*, *passim*.

[2] Cf. *Engl. Hist. Review*, vol. xii. (1897), p. 757.

[3] *Vide below*, p. 61.

[4] *Rot. Parl.*, ii. 9: 'Item prient qe si nul homme face purchace de Terres ou de Tenementz qe sount tenuz en chief du Roy et est entre saunz conge qe pertent celes Terres et Tenementz ne seyent pas seisi en la mayn le Roy ne agarde come forfaitz. Mes ordeinez soit par comune conseil auscun Fyn de an doner au Roy solom la value de purchase.'

[5] *Rot. Parl.*, ii. 12: 'eles ne furent unkes forfaites. Et acorde est qe desore facent resonable fin en Chauncelere par due proces.' Cf. *Stat of Realm*, i. 256; *Stat. Westm.*, ii., 1 Edw. III, § 12.

allowing such alienations to be fulfilled was thrown upon the escheator who had failed to apply the suitable remedy.[1] The inquisition was held on October 6, and scores of such alienations, dating from the time of Henry III, were found to have taken place.[2]

The King had ordered the sheriff of Gloucester not to interfere in any manner with the land of Gower; later this order was reversed and he was ordered to take the land into the King's hand. Richard de Foxcote, the sub-escheator, went towards Gower to execute the seizure. A little outside the town of Swansea, at the chapel of St. Thomas in Kilvey,[3] he found a large number of armed Welshmen, mostly persons of small importance,[4] but including in their number Master Rees ap Howel, a clerk who constantly appears in Welsh affairs during the reign and who was reported to have been one of the instigators of the present disturbance.[5] These armed bands resisted the execution of the royal order. Foxcote saw that the orders could not be fulfilled without risk of life. He reported the ill-success of his mission to the King's clerk appointed to survey the business and to the sheriff of Gloucester, who then went with the sub-escheator towards Gower. Again at the same place a great body of natives offered them resistance, and the royal officers had to turn back baffled and beaten. The King was much disturbed by these direct contraventions of his orders and on November 13, 1320, Richard de Rodney, escheator on this side Trent, was ordered to go in person to Gower to take the barony into the King's hands and to keep it safely. Those who resisted were to be arrested and imprisoned, and if necessary a sufficient force was to be provided by the escheator, Mortimer

[1] *Cal. Fine Rolls*, 1319–27, p. 2 (July 28, 1318); *Rot. Orig.*, p. 249.

[2] *P.R.O. Inq. P.M.* 13 Edw. II, no. 32; cf. *Cal. Inq. P.M.*, vol. i. p. 294.

[3] Kilvey was the property of Leissand de Avene, who was one of the rebels of the baronial confederacy in 1322. (*Cal. Fine Rolls*, 1319–27, p. 189.)

[4] *Cal. Fine Rolls*, 1319–27, pp. 41–2; *Rot. Orig.*, p. 254 ('a great multitude of Welshmen, unknown and armed' says the sub-escheator's report); *Cal. Pat. Rolls*, 1317–21, p. 547.

[5] *Cal. Close Rolls*, 1318–23, p. 285.

the Justice of Wales, Despenser and the sheriff of Gloucester.[1] On November 20 a commission was appointed to hear and determine touching the resistance which had been made to the execution of the King's writ.[2] Two days later the terms of the commission were extended: fines and ransoms were to be taken from those who had committed contempts and disobediences.[3] Almost simultaneously the enquiries as to alienations were revived. The lands held by knight service found to have been alienated without licence were to be taken into the King's hands by Rodney, the keeper of Gower, who by virtue of his office of escheator had custody of the lands.[4] The King had by this time obtained the desired possession of the land and was very anxious to recover the alienations, with the objects of increasing the royal revenue and asserting the right he had claimed regarding licences for alienation. Early in 1321 yet another commission was appointed to enquire into the alienations.[5] As a result of these commissions a multitude of fines was imposed upon the people of Gower for the part they had taken in the resistance to the royal order.[6]

More than its real importance has been bestowed upon the Gower dispute by the chroniclers. Its narration possesses very picturesque details and hence its relative position in the causes which produced the Despenser war has not been maintained. The chroniclers make it the chief, almost the sole, cause of the outbreak.[7] It was over the quarrel about Gower that 'such heart burnings rose against the Despensers'[8] that the Earl of Hereford complained to Lancaster, which led to the confederation of the barons of

[1] *Cal. Fine Rolls*, 1319–27, pp. 40–1; *Cal. Pat. Rolls*, 1317–21, p. 547; *Rot. Orig.*, p. 254. [2] *Cal. Pat. Rolls*, 1317–21, p. 547.

[3] *Cal. Fine Rolls*, 1319–27, p. 41 (November 22, 1320).

[4] *Ibid.*, p. 43 (December 18, 1320).

[5] *Ibid.*, pp. 44–5 (January 20, 1321); *Cal. Pat. Rolls*, 1317–21, p. 602.

[6] *Cal. Fine Rolls*, 1319–27, pp. 52–3.

[7] *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 292, says it was 'prima causa discordiae.'

[8] Holinshed's *Chronicle* (London, 1587), ii. 325.

the Welsh march. Despenser's attitude towards Gower was but symptomatic of his general policy and revealed no extraordinary feature.[1] It certainly contributed considerably to the ultimate dissensions and disturbances, but it is important not as an isolated event but as a landmark in the policy of the King's favourite. Despenser had carried on his aggression previously by royal grants and forcible entry. Now he began to act against the law and custom of the land and thereby the whole constitutional opposition to the King was aroused. Whereas previously the opposition to Despenser had been to some extent personal, at the dispute over Gower it becomes political. The Gower dispute might be the direct and immediate cause of the rising, but the real origins were deeper and more firmly rooted and widespread. The chronicle of Llandaff, which should be well informed on this point, does not mention the Gower dispute at all and states that on the encroachments of Despenser, D'Audley and Damory sought aid from the barons of the realm, and Bohun and the Mortimers entered South Wales and began the Despenser war and finally restored to the two sisters the lands due to them by hereditary right.[2] Though this carries the reaction too far on the other side, it is well to remember that the war was the result not of one but a number of causes, not to the alienation of a single interest but to the attacks on every possible victim. For it was not only against the marcher lords that Despenser pursued his policy of aggression. Humble holders of land were not secure from his grasping greed. Not even the possessions of the Church remained untouched. The vill of Huwaldesfeld which had belonged to the abbot and convent of Tintern had been seized out of their hands by the procuration of Despenser, and they sought to recover it by petitioning the King.[3]

[1] *Le Livere de Reis de Brit. Semp. Contin.* (p. 336) states that the dispute arose 'pur auscunes terres en Gaules e en Engleterre e autres choses.'

[2] *Cotton MS. Nero*, A. iv. f. 53*b*; *Chron. Landav.*, *cf.* Clark, *Cartæ de Glam.*, iii. 1088.

[3] *P.R.O. Ancient Petition*, no. 12092.

This culmination of causes produced the Despenser war in Glamorgan.[1] The greed with which he pursued his insatiable avarice in South Wales, seeking to rob the rightful heir of Gower of his patrimony by a legal fiction, and withal a legal fiction which threatened the privileges of all the marcher lords, raised a host of enemies. Hereford, Clifford,[2] the Mortimers,[3] they knew not who would be the next prey. As long as Despenser retained control of such a large portion of the marches, so long would their position be insecure. As long as he was allowed to continue his policy of aggression, so long would each marcher lord be plagued with the dread that he would be in the toils next. Nor was the position which Hugh held in the King's counsels less intolerable. He was the right eye of the King,[4] but an offensive eye-sore to the whole kingdom.[5] His every desire was translated into a royal command. He was the King's chief adviser against the earls and barons.[6] Knighton attributes the whole revolt to the fact that Edward favoured the two

[1] In *Peniarth MS.* (Nat. Lib. Wales) 32, f. 227, it is called the Barons' War, *s.a.* 1321 : 'fuit guerra baronum Cambrice vero dicta Ryvel y barwneid.' It is possible that the date should be 1322 and the reference to the Boroughbridge campaign. *Cf.* also *Cotton MS. Nero*, A. iv. f. 6*b*.

[2] Clifford's cause of grievance was that his mother (Maud) had been by Despenser's interest defeated of her claim to her nephew T. de Clare's estate. (T. Carte, *History of Engl.*, ii. (1750) 350.) The inquests on his property were not held until April–May 1321, and the heirs are said to be his aunts Margaret the wife of Sir Bartholomew de Badlesmere, and Maud the wife of Sir Robert de Welle. (*Cal. Inq. P. M.*, vi. 159.) Maud had married Robert de Clifford the father of Roger in 1295 (*Dict. Nat. Biog.*, Sir Robert de Clifford, fifth Baron). On his death in 1314 (*Reg. Pal. Durham*, i. 607) she had been abducted, and among those who recovered her was Bartholomew de Badlesmere. (*Chron. Edw. I and Edw. II*, vol. ii., Auct. Bridl., p. 48.) Carte's assumption does not appear to have been well founded, as the purparty belonging to de Badlesmere was to remain in the King's hands, though the other part was extended as the purparty of Robert de Welle and Maud his wife. (*Cal. Inq. P. M.*, vi. 163.)

[3] These are mentioned as the prime movers in the dissension in *Le Livere de Reis de Brit. Semp. Contin.*, p. 336.

[4] *Chron. Lanerc.* (Bannatyne Club), p. 241, *s.a.* 1321 : 'quasi oculus dexter regis.'

[5] Milles, *Catalogue of Honur* (1610), p. 153.

[6] *Chron. Lanerc.* (Bannatyne Club), p. 241.

Despensers against the common wish of the barons.[1] A more tangible reason than personal pique is required to produce a revolt. Despenser had abused his position as Chamberlain. He refused to allow the magnates to approach the King, and at his pleasure removed the officers of the King's household and put others in their places without seeking the counsel and consent of the magnates.[2] Personal feelings might have mingled with the political but they did not supply the motive power. The motive power was supplied by causes far more powerful and vital, not to mere personal ambition but to the whole system of marcher and baronial privilege. They saw their dearest privileges vigorously assailed by a powerful and capable foe. The Earl of Hereford was naturally the leader of the barons of the South Wales march and he did not feel himself capable of deciding what steps to take, so he sought the advice of the Earl of Lancaster on the wrongs that had been done.[3] This reference of the matter to the Earl of Lancaster provides the key to the position. Lancaster was not the mere leader of a baronial faction but stood for a definite scheme of government. The personal element entered into Lancaster's plan. He was jealous, if not envious, of the position of his cousin Edward II, and took a childish delight in continually thwarting him. He was moreover at bitter enmity with the elder Despenser.[4] The King was but clay in the hands of the Despensers. They made him assume whatever form they wished. The King was permitted to be of service to no one except to them. No noble was allowed to have conference with the King. If any petition were sought Hugh heard it and replied according to his own wish.[5]

[1] *Chron. Henr. de Knighton*, i. 423.

[2] *Chron. Edw. I and Edw. II*, i., Annal. Paul., p. 292.

[3] Walsingham, *Hist. Angl.*, p. 159; Trokelowe, *Annal.*, p. 107.

[4] Trokelowe, *Annal.*, p. 107: 'qui inimicus Hugonis senioris a longo tempore fuit.'

[5] *Chron. A. de Murimuth*, p. 33; *cf.* Intro., Stubbs, *Chron. Edw. I and Edw. II*, ii. lxxxiii–lxxxviii.

The King was not unprepared for the outbreak of hostilities. Signs of the impending storm had not been lacking, and the King had made his arrangements accordingly. As early as March 1, 1321, the ominous preparations had commenced. Robert de Wodehouse was sent to view and provision the South Wales castles.[1] The King's works in the castles were ordered to be suspended if the outer walls were defensible. The partially erected buildings were to be so fortified that they could be preserved without damage.[2] On March 1, too, the King was considering setting out for Gloucester,[3] and wrote under his secret seal to William de Ayremyon explaining his action.[4] Writing to his Chancellor and Treasurer on March 6, he states that his affairs in Wales ought to be hastened, and with his writ he sent to these officials a roll relating to the safety of Wales and the royal castles there, and he desired their counsel on these matters. They were also warned not to be surprised if he took with him more men than he usually did.[5] The journey to Gloucester was made and the King arrived there on March 26, and remained in the town until April 2.[6] Further orders were issued for the garrison of the North Wales castles.[7]

The state of Glamorgan was never very peaceful, nor the hold of its lord upon it too secure. The precise and special orders which Despenser gave his sheriff on September 21, 1319, show that even as early as that its restlessness was more pronounced than usual. Diligent attention was to be paid to Despenser's business in Glamorgan, and the repair and provisioning of castles was to be hastened so that they might be kept without

[1] *Cal. Pat. Rolls*, 1317–21, p. 569; *Cal. Close Rolls*, 1318–23, p. 292.

[2] *Cal. Close Rolls*, 1318–23, p. 292.

[3] *P.R.O. Chancery Warrants*, file 113, no. 5599.

[4] *P.R.O. Ancient Correspondence*, vol. 36, no. 209.

[5] *P.R.O. Chancery Warrants*, file 114, nos. 5602, 5603. This roll is preserved (*P.R.O. Parliamentary and Council Proceedings*, file 5/6).

[6] *Vide Cal. Close and Pat. Rolls, passim.*

[7] *Cal. Close Rolls*, 1318–23, pp. 291–3; *Cal. Pat. Rolls*, 1317–21, p. 569.

danger to Despenser. Inge was to attend constantly in his office, and to be prepared for mishaps, as the men of that part were often of fickle mind and wild ventures.[1] A letter written by Despenser to his sheriff on January 18, 1321, shows the state of preparedness in which the Glamorgan castles were even at this time, both in guard and provision. Inge was instructed to let his master know if any sign of confederation appeared against either Despenser or the King, and with the news was to be sent the advice of the sheriff on how to deal with the case.[2] The King and Despenser had heard that Master Rees ap Howel, who had taken a leading part in the resistance to the sub-escheator outside Swansea,[3] was making great confederations and gatherings, and if it seemed to the sheriff that a commission to arrest him ought to be sought he was to acquaint his master.[4] Master Rees ap Howel, who held lands in Pontesbury, co. Salop, and Talgarth in Brecon, must have been acting at this time as the agent of either Hereford or Mortimer of Wigmore, though it is strange to find that pardon was afterwards granted to him for his action in this matter on the testimony of Roger Damory.[5] In February 1321,

[1] *Cotton MS. Vesp.*, viii. f. 6 : ' de legiere volente et jole enpryse.'

[2] *P.R.O. Ancient Correspondence*, vol. 49, no. 143 : ' si vous oietz de nule aliaunce de nul marchis en nul moeuement de nuly contre nostre seigneur le Roy ou nous en celes parties le nous maundez distinctement le plus en haste qe vous porez ensemblement oue vostre consail quel remede il apendre a metre.'

[3] *Vide above*, p. 40.

[4] *P.R.O. Ancient Correspondence*, vol. 49, no. 143 : ' auscunes gentz ont dit au Roy et a nous qe mestre Reys ap Howel fait grauntz alliaunces et meyns grant route des gentz oue luy et sil vous semble qe bon siet qe nous eyoms une commission de luy prendre le nous maunditz et la manere coment nous la deuoms purchacier sauuant nostre fraunchise.'

Roger Mortimer, Justice of Wales, had been ordered on January 1, 1321, to arrest Master Rees ap Howel for the part he had taken in the disturbance outside Swansea (*Cal. Close Rolls*, 1318–1323, p. 285), and as this letter was not written until January 18, it appears curious that, considering the care and attention that Hugh was paying to Glamorgan affairs at this time, he did not tell his sheriff this fact, unless of course he was unaware of it.

[5] *Cal. Pat. Rolls*, 1321–1324, p. 16.

Inge, who was a justice of assize, had to leave his bailiwick to perform his judicial duties, and he was ordered to leave one in whose good-will he had perfect confidence as his deputy in Glamorgan.[1] A letter written to the King on February 27 warned him definitely of the state of affairs. The Earl of Lancaster and the barons of the Welsh march had met and the plot to create disturbances and evils [2] in Wales was already formed, and the King's correspondent acquainted him of the plan and begs him to have immediate advice and counsel on the matter, and to warn and order the younger Despenser to have his land ready for the event.[3] Despenser was not idle meanwhile. His lieutenant in Glamorgan was well aware of the doings of the marchers, and he was in frequent communication with his lord. Despenser was accompanying the King, hovering not far away from the Welsh border, and applying himself diligently to the safeguarding of his Glamorgan lordship. Precise orders were sent to Inge on March 6 concerning the custody of the Welsh castles of the King and Despenser and touching especially the march of Brecon.[4] On March 20 [5] he received a letter from Inge reporting various matters. Despenser wrote a reply from Chichester the following day [6] and therein shows a painstaking interest in the minutest details of the administration of his lands. Although the marchers were busy making their preparations, Inge was able to report that the men of Glamorgan were

[1] *P.R.O. Ancient Correspondence*, vol. 49, no. 144 (February 17, 1321).

[2] *P.R.O. Ancient Correspondence*, vol. 35, no. 8: 'lour pouer vount affor . . . de Gales pur braulier et comencer illoeqes aucun mal.'

[3] *Ibid.*: 'voillez pur dieu si vous plest auoir hastif auys et bon et priue conseil qe tiel mal naueigne et charger et commaunder m[onsire Hugh le] Despenser le filz qil soit issint puruen et garniz en son pays qil puisse contregacier tielx malx car al eide de dieu et de vostre seigneur . . .'

[4] *P.R.O. Ancient Correspondence*, vol. 58, no. 10.

[5] The letter has been dated by the day and month. The year has been established as 1321. (*Engl. Hist. Rev.*, vol. xii. (1897), p. 755.)

[6] Original in *Cotton MS. Nero*, C. iii. f. 181. *Cf.* Clark, *Cartæ de Glam.*, iii. 1074–5.

in peace and quiet throughout the whole of the lordship. This gave Hugh much satisfaction and he confidently says that he did not pay much attention to the disturbance in Brecon. Hostages were to be exacted from the people of his lordship. Inge had heard that the Earl of Hereford was more thoughtful and gloomy than usual, which did not surprise Despenser in the least, considering the stand that the Earl was taking against a liege lord who had granted him so many favours and honours.

With considerable over-confidence Despenser had decided that he was in no fear of D'Audley or his allies, none of whom had the power to oppress his men, because he was prepared to defend them well. D'Audley, in Despenser's opinion, was counting too much upon the aid of Henry Spigurnel, for he did not think that Spigurnel would take any part against Despenser or any of his friends, and he had caused very particular letters to be written to him. This prediction proved correct, for it was Spigurnel, at this time acting as justice of assize at Gloucester,[1] who pronounced sentence of forfeiture against D'Audley. It was important for Despenser that the Welsh of his lordship should support him in any threatening disturbance, and Inge had enquired of the principal Welshmen if he could rely upon their aid or not, and had also sought their opinion on the question whether the lordship of Glamorgan was strong enough to withstand the malice of the men of Brecon and Cantref Bychan.[2] One lay on the north and the other on the north-west of Glamorgan, and attack from the two would be serious for the safety of the land. The answers to both enquiries must have been in the affirmative, as Despenser is greatly pleased on hearing them. Inge had ordered the towns and castles in Glamorgan to be guarded day and night, but it was from Brecon that the danger was regarded as most imminent. Guards had been placed on the whole

[1] *Engl. Hist. Rev.*, vol. xii. (1897), p. 761, note 54.

[2] Cantref Bychan was in Carmarthenshire and belonged to John Giffard of Brimmesfeld. (*Cal. Close Rolls*, 1313–18, p. 563.)

border between Glamorgan and Brecon, but Despenser ordered his men not to begin any disturbance against the men of Brecon on any account. Inge desired his lord to send him twelve men-at-arms as reinforcements, and thought that a personal visit from Despenser would be serviceable at this juncture. Despenser promised to consider the question. He greatly desired a conference with Inge and he was to go to him after he had made his sheriff's tourn, if he could do so without loss and danger to his other business.[1]

While the King was making preparations and Despenser was corresponding with Inge, matters were developing amongst the barons ; their plans were maturing and almost everything was ready. Despenser was unduly over-confident. He had entirely failed to estimate the strength of their feelings and resources. On January 30, 1321, the King had forbidden the Earl of Hereford and other barons from making assemblies to treat of the affairs of the realm,[2] but no heed was paid to the royal mandate. Affairs had gone too far to be ended by a royal proclamation from a distant king. The King determined to strike the first blow, though it was to be a bloodless stroke. As a natural precaution the castle of Builth, which Hereford held, was resumed into the King's hands.[3] By this time the state of the whole of South Wales must have been one of high tension, bordering upon disorder, though actual hostilities had not yet broken out. The barons were assembling their armed men and musters were being held everywhere. In March stringent orders to keep the peace were addressed to Damory, Mortimer, Hastings, Hereford, Cherleton and Despenser. The King expressed himself as greatly astonished at the assemblies and musters which were being made.[4] These magnates with a few others were summoned

[1] *Cotton MS. Nero*, C. iii. f. 181. *Cf.* Clark, *Cartæ de Glam.*, iii. 1074–6

[2] *Cal. Close Rolls*, 1318–23, p. 355 ; *Fœdera*, ii. 442 ; *Parl. Writs*, II. ii. 155.

[3] *Cal. Fine Rolls*, 1319–27, p. 50.

[4] *Cal. Close Rolls*, 1318–23, p. 363.

to be at Gloucester on April 5 to treat with the King concerning such meetings.[1] A special form of summons was sent to D'Audley two days later. He had bound himself in writings to aid the King to the utmost of his power to do whatever the King should require of him. The King had frequently ordered him to come to him at various dates to fulfil the King's orders, but he had disobeyed such commands. He was therefore to join the King at Gloucester on April 5 to answer why his lands should not be taken into the King's hands, and the other conditions concerning the disobediences of the agreements fulfilled.[2]

While seeking to conciliate the parties by referring the matter to the council, the King did not neglect to push on his active preparations to defend his castles in Wales.[3] On April 10 the castle of Montgomery which D'Audley held was seized into the King's hands.[4] On April 13 further orders prohibiting unlawful assemblies were issued to all the marcher barons with the exception of D'Audley, against whom sentence of forfeiture had been pronounced by the Earl of Norfolk and Spigurnel on April 8.[5] The King was still at a loss to account for them.[6]

Bohun determined to make one last constitutional attempt to secure the objects of the barons before the resort to arms.[7] In order to give the action of the marchers a constitutional bias he sent a lengthy reply to the King's command to appear at Gloucester.[8] He refused to come to the King as long as Hugh le Despenser remained in his

[1] *Cal. Close Rolls*, 1318–23, p. 364.

[2] *Ibid.*, p. 365 (March 30); cf. *Chron. Edw. I and Edw. II*, vol. i., Auct. Malmes., p. 256. The making of such contracts was nullified in the first Parliament of Edward III. (*Stat. of Realm*, i. 257; *Stat. Westm.*, ii, 1 Edw. III, § xv.)

[3] *Cal. Close Rolls*, 1318–23, pp. 292–3, 294, 295, 296, 366; *Cal. Pat. Rolls*, 1317–21, pp. 573, 574, 576.

[4] *Cal. Pat. Rolls*, 1317–21, p. 575.

[5] *Parl. Writs*, II. ii. 138.

[6] *Cal. Close Rolls*, 1318–23, p. 366.

[7] Cf. *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 256.

[8] *Vide above*, pp. 47–8.

company.[1] The Earl appears to have spoken to the royal official in the heat of the moment. On reflection he sent the Abbot of Dean to the King to explain his words. He stated that he was quite willing to come to the King at his orders, but that while Hugh remained with the King he dared not do so.[2] Bohun begged the King to summon a Parliament at a time and place where he and Hugh could come with safety and where they could bring forward their complaints and receive judgment.[3] Meanwhile he suggested that Hugh should be committed to the custody of the Earl of Lancaster. He would mainprise himself under forfeiture of all he could forfeit to conduct Hugh to the Earl and safely bring him back to the Parliament. The King refused to recognise the Abbot as a duly accredited messenger from the Earl, as he brought no letters. A clerk was sent to discover the truth of the matter, and the Earl said that the Abbot had been deputed by him. The King then considered the suggestions and expressed great surprise at them. Hugh had been appointed Chamberlain by the counsel of the prelates, earls, barons and magnates of the realm in full Parliament at York, to which appointment Bohun himself consented. No complaint had been made against him in any Parliament. Moreover the Earl must have known that the royal orders were a protection and defence to everyone coming to the King by such orders. It would be unbecoming and dishonest to remove Hugh from the King's company as suddenly as the Earl desired, and it would be an unjust and evil precedent to the King's other ministers if Hugh were removed without cause. Even before the arrival of the Abbot the King had arranged to discuss with the Earl and other of his subjects a place for holding a Parliament and other business of the kingdom. It would be contrary to Magna Carta, the common law of the realm, the ordinances

[1] *Cal. Close Rolls*, 1318–23, p. 367.
[2] *Ibid.*
[3] Cf. *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 256.

which he had sworn to observe and his coronation oath, for the King to commit Hugh to any person without cause, especially as Hugh had presented himself, freely and publicly, before the King as ready to answer the complaints of every one in Parliament and elsewhere. The King ordered Hereford and Mortimer of Wigmore to meet him at Oxford three weeks from Easter to treat with the King and other magnates and give their counsel.[1] One chronicler recounts a demand from the barons for the dismissal of Despenser or his committal to the custody of a chosen person, to stand judgment on a certain day, on which he might answer the charges brought against him, otherwise they would not have the King as ruler again [2] but would refuse homage and fealty and the swearing of anything due to the King, and as men without a king, without a ruler and without justice,[3] for lack of justice they would proceed on their own authority to the punishment of Hugh and wreak such vengeance as they were able on the makers of those evil deeds. Since the King could not prevent the barons' plan without acceding to the conditions demanded, with Hugh continually with him he returned to London.[4]

The King had shown himself an adroit statesman in his reply to Bohun. He had cut the very ground from under the feet of the Earl of Hereford and his supporters. They wanted a Parliament! It would be forthcoming. They wanted justice! Was not the King the fountain of justice? They demanded the dismissal of Hugh. He had been appointed in full Parliament, by the very consent of Hereford himself: only in full Parliament could he be dismissed. If the barons claimed to rely on custom and usage, so would the King—Magna Carta, the common law, the ordinances, the handiwork of the barons and their pride, the amended

[1] *Cal. Close Rolls*, 1318–23, pp. 367–8.

[2] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 256: 'regem pro rege.'

[3] *Ibid.*: 'et tanquam homines sine rege, sine rectore, et sine judice.'

[4] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 256.

coronation oath to which he had been forced to swear—all were called to serve the King's case. Considering what had been Gaveston's fate when he had willingly surrendered himself to the barons, relying on their word of honour, the suggestion that Hugh should be handed over to the Earl of Lancaster was little short of ludicrous. Hereford had made his move, the King his counter-move which had checkmated him. The Earl could rely no longer on peaceful persuasion : from constitutional means he turned to coercion.

Hereford and Mortimer of Wigmore were at the head of the barons. They had been summoned to the council at Oxford, and it was these lords that the King, on May 1, ordered to refrain from attacking Despenser or his lands in the Welsh marches, as he had heard they were preparing to do.[1] The crisis was too imminent to be averted. Three days later, or before the messengers bearing the writs could have reached their destinations, the war threatening for so long had broken out. On Monday, May 4, 1321,[2] Humphrey de Bohun, D'Audley, the two Mortimers,[3] John Mowbray,[4] Clifford,[5] Hugh D'Audley the father, Giffard, Maurice de Berkeley, Henry de Tyes, John Maltravers,[6] and many other marcher lords who had allied themselves by oaths and writings,[7] had ridden with their army first towards Newport, which they captured, both town and castle, in four days,[8] the siege proving an easy task.[9] The manors and barns were pillaged.[10] The men of the rebel barons, who were in considerable numbers,[11]

[1] *Cal. Close Rolls*, 1318–23, p. 371.
[2] *Flores Hist.*, iii. 344, which is approximately correct; *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 293, gives the date too early.
[3] *Flores Hist.*, iii. 344.
[4] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 255.
[5] *Ibid.*, vol. i., Annal. Paul., p. 293.
[6] *Cal. Close Rolls*, 1318–23, p. 541.
[7] *Ibid.*
[8] *Flores Hist.*, iii. 344.
[9] *Chron. Edw. I and Edw. II*, vol. ii. p. 256 : 'leviter capiunt.'
[10] *Cal. Close Rolls*, 1318–23, p. 542.
[11] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 257.

carried the royal standard. They included 800 men-at-arms, 500 hobelers and 10,000 footmen.[1] The following Saturday[2] they took Cardiff[3] and the castle there by force and arms and captured all they found in the castle, namely, Ralph Gorges[4] and Philip Joce, knights and others who were led to the Earl of Lancaster.[5] In the attacks on the castle of Newport considerable damage was done, 300 oaks being necessary to reconstruct the houses and fortices within the castle.[6] In a few days all the possessions, revenues, towns and castles of Despenser in Glamorgan were captured—as the barons alleged, for the King's use.[7] Desolation was spread throughout Despenser's property. D'Audley again obtained possession of Newport.[8] All the castles were captured with very little labour,[9] for the constables would not defend them, nor would the Welsh, who detested Despenser and their subjection to him, protect them. The Earl of Lancaster was privy to all their doings. His 'hand' was with them.[10] Though he did not take active part in the revolt (for he was recovering from an illness, otherwise he would have been with them[11]) he took an interest in the outcome, and avowed his consent.[12] All things were in fact done by his advice

[1] *Cal. Close Rolls*, 1318–23, p. 541.

[2] *Flores Hist.*, iii. 344.

[3] For a sidelight *vide Cal. Close Rolls*, 1318–23, p. 440.

[4] *Flores Hist.*, iii. 345; *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 293, states that Gorges was constable of Caerphilly and was driven out of that castle and wounded.

[5] *Flores Hist.*, iii. 345.

[6] *Cal. Close Rolls*, 1318–23, p. 440.

[7] *Chron. Edw. I and Edw. II*, vol. i., Annal. Paul., p. 293.

[8] *Ibid.*, vol. ii., Auct. Malmes., p. 256: 'et Hugonem Daudeleye, prout jus dictabat, in possessionem mittunt.'

[9] *Ibid.*, p. 256: 'modico labore'; *Chron. Lanerc.* (ed. Maxwell), p. 229.

[10] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 255: 'et manus comitis Lancastriae erat cum illis.'

[11] *P.R.O. Chancery Warrants*, file 113, no. 5551.

[12] *Chron. Geoff. le Baker*, p. 11; *Chron. A. de Murimuth*, p. 33; *Le Livere de Reis de Brit. Semp. Contin.*, p. 336: 'par assent sire Thomas counte de Lancaster.'

and counsel.[1] Even the Earl of Pembroke, who was a most moderate man and a real friend of the King, supported them secretly, while many who did not actively participate gave their open sympathy to the movement.[2] Despenser must have almost rivalled Gavaston in his capacity for incurring enmities. Almost all who rose against him had personal grievances, though there was a common bond which united the whole opposition.[3] The barons marched with the standard of the King before them, saying that they were doing all these things, not against, but for the Crown and the rights of the people of England.[4]

In the assaults upon the castles several of Despenser's men were killed, including Sir John Iweyn [5] and Matthew de Gorges and Welshmen to the number of fifteen.[6] John Iweyn was not slain outright in open conflict. He and his servant were taken prisoners at the castle of Neath, and then conveyed to Swansea where they were murdered and plundered of their goods.[7] John de Forneux, afterwards confessed that he had decapitated Iweyn at Swansea.[8] Comparatively few men were killed ; a considerable number were wounded or maimed including one knight, Sir Philip de Joce. Many were imprisoned, some of whom were afterwards released by ransom. The plunder obtained from the towns and castles was enormous. Supplies and arms to the value of £2000 were taken. Charters and muniments of an equal value were destroyed out of sheer vandalism. Unsuccessful attempts were made to fire the castles, only some of the outer buildings being destroyed, though fittings

[1] *Chron. Lanerc.* (Bannatyne Club), p. 241 : ' de consilio autem et mandato comitis Lancastriae fuerunt omnia ista facta.'

[2] *Chron. Geoff. le Baker*, p. 11 ; *Chron. A. de Murimuth*, p. 33.

[3] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., pp. 254–6.

[4] *Chron. Lanerc.* (Bannatyne Club), p. 241 : ' dicentes se non contra coronam sed pro corona et jure regni Angliae haec omnia operari.'

[5] He held the castle and town of Loughor and other land in Gower. (*Cal. Inq. P. M.*, vi. pp. 216–17.)

[6] *Cal. Close Rolls*, 1318–23, p. 541.

[7] *Cal. Pat. Rolls*, 1321–24, pp. 167–8.

[8] *Ibid.*, p. 249.

to the value of £2000 were carried away. In addition to Cardiff, Newport and Caerphilly, the castles of Llantrisant, Talvan, Llanblethian, Kenefeg, Neath, Drusslan and Dynevor were taken and pillaged.[1] The whole land of Cantrefmawr was taken into the King's hands by the justice of Wales.[2] Once the castles had been taken, the whole land lay at the mercy of the raiders. They remained in the land, plundering and destroying with immunity for five days. This gave them ample time to make the destruction irreparable. When the work of destruction was at its height, the people of the whole land were forced to be of their accord. Those who refused to swear they imprisoned and held to ransom and burnt their houses and goods. The manors suffered no less than the castles. All moveables and stock were cleared, and the devastation here again was computed at the convenient figure of £2000. In all twenty-three manors were burnt and destroyed in this hurricane campaign.[3] Crops were carried away to the value of £2000, while debts amounting to £3000 were levied by the insurgent barons. In all the damage done to the lands of Despenser in Wales amounted to £14,000.[4] After the ravage of the Welsh lands had been completed, the barons turned their attention to the English lands and a similar devastation was wrought.[5] Damage to the extent of £38,000 was inflicted.[6] All treasure found within the castles the barons divided amongst themselves by right of war.[7] They thought fit that Despenser's property throughout the realm should be confiscated.[8]

Though the struggle in Glamorgan was of short duration, the conflict was terrific in its violence. The bands of the

[1] *Cal. Close Rolls*, 1318–23, p. 542. (The petition of Despenser.)
[2] *P.R.O. Ancient Petition*, no. 2749.
[3] *Cal. Close Rolls*, 1318–23, p. 542. A full account of the campaign and destruction is found recited in *Rot. Parl.*, iii. 361–2.
[4] *Ibid.*, pp. 541–2.
[5] *Le Livere de Reis de Brit. Semp. Contin.*, p. 338.
[6] *Cal. Close Rolls*, 1318–23, pp. 542–4.
[7] *Chron. Edw. I and Edw. II*, vol. ii., Auct. Malmes., p. 257.
[8] *Ibid.*

angered marchers swept down upon the land of Glamorgan, castles, towns, manors, and lands were occupied, thefts, arson and the like trespasses were committed indiscriminately.[1] Even the men of the King's allegiance were not respected, but were deprived of their goods and chattels,[2] and some held to ransom.[3]

Damory and D'Audley obtained the fruits of victory. Both retained portions of the lands of Despenser in Glamorgan. The aggression became reversed, and the victims became the oppressors. D'Audley kept the castle and town of Newport and the county of Gwennllwyg, and the land of Machen.[4] Damory retained various castles, manors, towns, and hundreds in Glamorgan and Morganwg.[5] Nor was it the great marchers and their followers alone that were implicated in the struggle. The Welsh tribesmen, ever eager for a fight, joined in, though to what extent it is impossible to say. Despenser was charged with the murder of Llewelyn Bren,[6] and his wife and sons supported the marchers in the destruction.[7] Various Welshmen who had participated in the disturbance were pardoned, some a few days after the rising,[8] others after an interval of three years.[9]

There was not complete unanimity amongst the ministers and vassals of the rebels in their confederation. Some had heart enough to withstand the wishes of their masters, and refused to join the alliance, though with the expected result. Bernard Pee de Fer, who held the guard of the castle of Swansea by the grant of Brewosa, refused to obey Mowbray's order to join the baronial party. He was

[1] Cf. *Cal. Pat. Rolls*, 1317–21, p. 582.
[2] Cf. *Cal. Close Rolls*, 1318–23, p. 495.
[3] Cf. *Cal. Pat. Rolls*, 1321–24, p. 153.
[4] *Cal. Fine Rolls*, 1319–27, p. 70.
[5] *Ibid.*
[6] Cf. *Stat. of Realm*, i. 183.
[7] *Cal. Pat. Rolls*, 1321–24, p. 77. Their arrest was ordered on February 22, 1322.
[8] *Cal. Pat. Rolls*, 1317–21, p. 582.
[9] *Cal. Pat. Rolls*, 1321–24, p. 449 (April 20, 1324).

deforced of his guard and imprisoned in the castle of Brecon.[1] He petitioned the King for redress and was told to sue at common law.[2]

It was inevitable that in such a widespread movement as the Despenser war, executed so hurriedly, damage should be done not only to the persons involved. Much as Hugh suffered personally as a result of the terrible devastation of his property, the tenants and people of the land suffered still more. The Englishry of Glamorgan petitioned the King and his council for indulgence on account of the great damage and destruction [3] which had been done to their property during the revolt of Sir Hugh le Despenser. A petition was also sent to the King by the poor people of the town of Swansea.[4] The robbery of the King's treasure from the castle of Neath when it was captured by the baronial forces was detailed, and relief begged on account of their poverty and misery. The prior and convent of Brecon also complained that they were greatly impoverished and damaged by the tribulations which had overcome those parts.[5]

The castles had been captured while they were in the possession of Despenser. Immediately the King adopted a change of tactics. The worst with which the barons could be charged was assault and trespass. They claimed to be acting on the King's behalf, and to give colour to this they marched under his banner. Hugh accordingly surrendered the custody of the castles to the King, who forthwith appointed keepers.[6]

Meanwhile the fate of the Despensers hung in the balance. Even the King saw that he could not guarantee their safety, and the plan was suggested of sending the younger Hugh

[1] *P.R.O. Ancient Petition*, no. 6641 : ' quil ne voleyt mye estre assentaunt a lor faux covyne.'

[2] *Ibid.*, no. 6641 (dorse).

[3] *Ibid.*, no. 8242 : ' graunt damage et meschefs.'

[4] *Ibid.*, no. 8107.

[5] *Rot. Parl.*, i. 408.

[6] *Cal. Pat. Rolls*, 1317–21, p. 584.

abroad temporarily for security. On May 30, safe-conduct was granted him to go beyond the sea on the King's business,[1] but the resort to this last expedient was not made, and the letters patent were surrendered and cancelled.[2]

Damory and D'Audley delayed obeying the royal order to deliver the Despenser lands and castles which they held.[3] Another order was necessitated on September 25. The King expressed surprise that they should delay the delivery on feigned excuses, especially as it had been agreed at the last Parliament held at Westminster that all the lands of Hugh should be taken into the King's hands,[4] and delivered to the ministers that the King should appoint.[5] Damory replied that he was given delivery of those lands by the magnates of the realm and the men of those parts. They would not allow him to deliver the lands to Adam de Brom, and had he done so they would have risen in war. Still he was quite prepared to be responsible to the King and to answer to him for the issues thereof, so that the King would not lose in the least degree by the plan. This answer the King considered altogether insufficient, and Damory was ordered to deliver it to the escheator.[6] The excuse was subtle, but the benefits which Roger was likely to obtain from the retention failed to impart conviction to the views he expressed. D'Audley's excuse was less aggressive. He desired to rely upon the rights or the supposed rights of his inheritance. He argued that he had no lands of Despenser in his possession. Newport, Gwennllwyg and Machen which he then held were part of the inheritance of Margaret his wife. The King refused to accept this version: Despenser had been lawfully seised of those

[1] *Cal. Pat. Rolls*, 1317–21, p. 591; *cf.* also pp. 596, 597.

[2] *Ibid.*

[3] *Cal. Fine Rolls*, 1319–27, p. 70.

[4] Hugh had been adjudged a traitor and banished the realm, and his possessions and goods were therefore forfeit to the King as escheats.

[5] *Cal. Close Rolls*, 1318–23, p. 402. Adam de Brom was appointed to take the lands into the King's hands.

[6] *Ibid.*, p. 408.

possessions when D'Audley and others began to prosecute him. D'Audley's reply completely ignored the exchange of lands which had taken place between Despenser and himself, in which exchange Despenser had lawfully acquired Newport, Gwennllwyg and Machen.[1] Delivery was ordered to be made to the escheator.[2]

In the process which the barons made against the Despensers,[3] there were several charges which were connected with the causes of the Despenser war in Glamorgan. For the banishment was a direct result of the attack upon the lands of the young Despenser. In the antipathy provoked by the extremely aggressive policy which he pursued in the Welsh march the barons found a bond of union. With a common purpose in view they united and achieved a transitory success. This martial success, which was after all but a successful plundering raid, coloured their imagination and they realised the possibility that they might be able to turn their temporary victory into a permanent success by obtaining the banishment of their arch-foes.[4] One charge, belonging to the general class of the abuse of the royal prerogative in his own favour, states that Despenser, when involved in troubles in Glamorgan, had induced the King to hover near the Welsh border to render his favourite what assistance he could,[5] and it was said to be against the form of Magna Carta and the award of the peers for the King to march against his subjects. It was alleged that it was by the advice of Despenser that the King had evilly taken into his hands the lands of D'Audley, and deprived him without process of law, because he was covetous of the lands.[6] Moreover by other false compassings he had endeavoured to

[1] *Vide above*, p. 30.

[2] *Cal. Close Rolls*, 1318–23, p. 408.

[3] *Ibid.*, pp. 492–5; *Stat. of Realm*, i. 181–4; *Rot. Parl.*, i. 362–4; *Chron. Edw. I and Edw. II*, ii., Auct. Brid., pp. 67–9.

[4] L. W. V. Harcourt, *His Grace the Steward and Trial of Peers*, pp. 146, 297; L. O. Pike, *Constit. Hist. House of Lords*, pp. 158, 175–6.

[5] *Vide above*, p. 45.

[6] No reference is made to the bond into which he had entered with the King. *Vide* p. 50.

obtain possession of the lands of Damory so that he might obtain the whole inheritance of the Earl of Gloucester in disherison of the peers of the realm.[1] They had not allowed the King to take reasonable fines and forfeitures from the peers of the realm, as had been customary up to that time, but imposed unreasonable fines and forfeitures. They had coveted to obtain lands by the royal power which had 'accroached' to them. With a view to obtaining possession of lands they had placed undue hindrance in the payment of fines, hoping that the land would eventually be forfeit. An example of that was the case of Mowbray and the land of Gower, and in this way they made the King deny right in Parliament contrary to his coronation oath.[2]

After the barons had successfully coerced the King they had everything as they desired. Full and complete pardons were made to all the chief offenders against the Despensers. On August 20, pursuant to the agreement made in Parliament at Midsummer, Hereford, the two Mortimers, Damory, John de Mowbray,[3] Giffard, John de Warenne, Hugh D'Audley the son,[4] and a host of others were pardoned any action by reason of anything done against either Despenser between March 1 and August 19.[5] The same day John de Mowbray was pardoned with the assent of Parliament for resisting Richard de Foxcote, the King's sub-escheator in Gloucester, to such an extent that he was unable to take Gower that John had acquired without licence [6] from

[1] *Cal. Close Rolls*, 1318–23, pp. 493–4; *Stat. of Realm*, i. 183.

[2] *Ibid.* [3] Mowbray also received a special pardon. *Vide below.*

[4] Among the prominent participators in the revolt who received pardons were Badlesmere, D'Audley the father, Rees ap Howel, Wm. de Berkerolls and Philip ap Howel. Cf. *Cal. Pat. Rolls*, 1321–24, pp. 15–18. In all 441 received pardons, of which number 103 were granted on the testimony of Damory, 45 on that of D'Audley, 47 on that of Hereford, and 60 on that of Mortimer of Wigmore.

[5] *Cal. Pat. Rolls*, 1321–24, pp. 15–19.

[6] The King does not surrender the point he had previously made, that alienations without licence were liable to forfeiture. In fact he appears to have strengthened his case by pardoning Mowbray for so acquiring the land, and ordering restitution, and this when the barons were in complete ascendency and predominant over the King.

William de Brewosa, for which trespass the King had ordered the land to be taken into his hands. Pardon was also granted all his aiders and abettors. Mowbray was also pardoned for acquiring the land and obtained restitution of it.[1] He had already entered into full possession of it in May and held it until the Purification next following.[2]

Events moved quickly in 1321 and in the course of the year the most complete reverses of fortune occurred. In August the triumph of the baronial party seemed complete. The Despensers had been exiled, their possessions had been utterly devastated. The King had been reduced to a cipher. The Middle Party upon which the King had relied for so many years was broken up by the aggression of the Despensers. A few months after the King had attained a stronger position than he had reached since his accession, and he was to go on from strength to strength until he should overcome the barons at Boroughbridge. The insult offered by Lady Badlesmere to the Queen by her exclusion from Ledes castle formed the prologue to the drama, the battle of Boroughbridge the climax, and after a brief interval came the catastrophe, which was enacted among the hills of Glamorgan and the grim walls of Berkeley Castle.

The ultimate result of the Despenser war was most disappointing. It was a movement pregnant with great possibilities. The opportunity was given the King to get rid of the favourites who were a continual stumbling block to good relations between King and barons. He failed to grasp its significance and either deliberately set his mind against all overtures or failed to realise his opportunity. Moreover the Despensers were warned in a most unmistakeable manner of the feelings of the barons towards themselves and the inevitable end to which it would lead. They failed to see the sign and after the King's temporary victory at Boroughbridge went on in their old course. Their acquisi-

[1] *Cal. Pat. Rolls*, 1321–24, p. 21.
[2] *Cal. Close Rolls*, 1318–23, p. 464.

tiveness remained as great as ever. A veritable shower of grants, acquittances and favours poured upon Hugh. Some of the English manors of Mowbray were granted him in reversion.[1] Damory lands in Wales became his possession.[2] Gower subsequently became the land of his father the Earl of Winchester, who acquired it in fee from William de Brewosa.[3] The younger Hugh negotiated with the Earl Marshal for his lands of Strogoill and Chepstow and finally obtained them.[4] Infatuated by success the Despensers had lost all sense of proportion. The end could not be long distant. The Despenser war in Glamorgan is but one episode in the career of the Despensers, but it was an episode fraught with much importance to them. It might have taught them much : they learnt nothing. They were too old in the ways of greed to learn. They were too blind to the ways of reality for experience to teach them anything. One chronicler of the Fourteenth century seems to have appreciated the importance of the outbreak. Then, he says, was commenced the war fated to lead to the destruction of the barons, the deposition of the King, and almost to the disherison of the royal blood.[5] The seed sown in the dispute over Gower grew rapidly in the over-heated atmosphere of the Welsh march into a mighty tree. The tree flowered and the winds of misfortune carried the seeds over the land. They fell on fruitful ground and germinated rapidly. With the luxuriance of a tropical forest the whole state of England was soon choked up by the pernicious influences of the once minute seed of rebellion. The ground was fruitful. It had been prepared by the inability of the King and the baneful influences of Despenser. An attack, commenced against

[1] *Cal. Pat. Rolls*, 1321–24, p. 129 ; *P.R.O. Ancient Deed* A. 98.

[2] *Cal. Charter Rolls*, iii. 1300–27, p. 449.

[3] *P.R.O. Ancient Deeds*, A. 4876, A. 4885 ; *Brit. Mus. Harley Charter*, 47, B. 30. He also obtained the custody of Aliva, the widow of John de Mowbray (*Cal. Close Rolls*, 1318–23, p. 659).

[4] *Cal. Pat. Rolls*, 1321–24, p. 341. *Cal. Desc. Lat. Ancient Deeds*, vol. iv. p. 116 ; *Flores Hist.*, iii. p. 348.

[5] *Chron. Geoff. le Baker*, p. 19.

the Lord of Glamorgan by his marcher neighbours, developed into a terrific struggle between King and barons. The Welsh march and its quarrels had a very considerable influence upon the political and constitutional crises of England during the reign of Edward II.

A PROVINCIAL ASSEMBLY DURING THE LEAGUE[1]

By MAURICE WILKINSON, M.A., F.R.Hist.S.

Read December 10, 1914

BURGUNDY as a province was devoted to the League, but not in the most fanatical sense. The reasons for its Leaguer sympathies were numerous: its catholicity—the number of Huguenots, though recently proved to have been larger than at one time supposed, was always small as compared with south-west France—the proximity of the Lorraine influence, the nearness of Spain, and above all the souvenir of the fame of the province in the days of the Sovereign Dukes. The provinces in which the royal power had been most recently imposed were usually against the central government—either leaguer or protestant. Paris, no doubt, seems to contradict this view, but all capitals were more fervently Leaguer than the rest of their provinces, and Paris, as the most populous and unquiet city of France, was simply the arch-leaguer. The members of the parlement and the royal officials who were averse to the league early withdrew from Dijon, and Flavigny in the Auxois became the obvious place for a Royalist gathering. In fact, every other place of any size was, at that stage, Leaguer, and Flavigny had facilities for defence. The formal schism of all the judicial, administrative, and financial machinery followed,

[1] The authorities for this paper are the documents to be found at (1) The Préfecture; (2) The Palais de justice; (3) The Hôtel de Ville; (4) The Library of the town—all at Dijon. I have also consulted M. Gros' *Le Parlement et la Ligue en Bourgogne*; M. Drouot's *Notes sur la Ligue en Bourgogne*, and his *Affaire La Verne*, and the volumes known as *Analecta Divionensia*. The war has prevented my making this paper as complete as I could have wished.

as elsewhere, on Henry III's edict from Tours, March 1589,[1] which suspended the parlements from their functions.

In 1589 the royalist party at Dijon was composed only of the fourth president, Fremyot,[2] a really distinguished and conscientious man, a few conseillers de parlement, and a few of the noblesse. These rapidly increased, and there was also a small body of men at arms who were very irregularly levied, and still more irregularly paid, by Guillaume de Tavannes, the royal governor. Mayenne had rendered the magistrates of Dijon and the people obedient to the League as early as August 1588; after the murder of the Guises, he, in January of the next year, further consolidated his authority.

'Parcequ'il est besoing & expédient & nécessaire que chacun des habitants & aultres demeurent armez pour la confirmation, tant de leurs propres personnes, de tous les gens de bien, que pour le repos d'icelle ville en gñal; à ceste cause ordonnons à tous les sieurs ecclésiastiques d'icelle de se tenir armez dans leurs maisons pour, en cas de nécessité, s'assembler soubz leurs chefz pour obéyr & faire ce qu'il leur sera commandé par M. de Fervasque, que nous avons laissé pour gouverner & commander dans lad: ville de Dijon pendant nostre absence.

a Dijon le 27 jour de janvier 1589.[3]

PICCART. CHARLES DE LORRAINE.'

This order gave complete power to the adherents of the house of Lorraine. Odibert and Bretagne, two conseillers de parlement, protested and were imprisoned, and proscription lists were drawn up: all thought of resistance left the minds of the magistrates.

Mayenne's lieutenant, Fervaques, the Count of Grançay,[4]

[1] March 27, 1589: *Archives du greffe de la cour d'appel*, Dijon, B 12086, f. 11. April 17, 1589: Edict establishing the court at Flavigny, Bibliothèque de Dijon; *Fonds Saverot* No. 3. The parlements of Bordeaux and Grenoble alone were not transferred.

[2] Benigne Fremyot, seigneur de Thôtes; president, 1581; died, 1611.

[3] *Archives Municipales*, Dijon, B 457.

[4] Guillaume de Hautemer. The party of Mayenne all through gained great strength from the devotion of Franchesse, the captain of the Castle of Dijon.

on March 23, came into the palais and informed the court that he required them to swear the Articles of Union, which had just come from Paris.

These articles were ordered by Fervaques to be signed without any addition or diminution. Two of these are worth reproducing here, for they are most significant.[1]

'Jurons de conserver en son ancienne splendeur la cour de Parlement & la chambre des Comptes en ceste ville selon la convention faitte entre les prédécesseurs Roys & les Estatz; sans permettre qu'elles soyent transférées ailleurs au préjudice d'icelles, comme aussi tous aultres sièges établis d'ancienneté ès villes de ceste province qui entreront en la Ste Union.'

'Jurons encores de nous rendre obéissans aux commandements de M^r le duc du Maine &, en son absence, à M. de Fervaques desquels nous ne nous separerons jamais, quelque mandement qui puisse avenir de qui ce soit.'

This was too much for Bretagne, a conseiller, who proposed an amendment 'sous le nom & authorité du Roy': this was rejected and the articles as sworn were to all intents and purposes a repudiation of the King of France.

The first president Brulart [2] swore 'entre les mains' of Bernard Desbarres [3] second president.

The other presidents, Desbarres, de Crespy,[4] de Montholon,[5] and most of the conseillers, but not the eminent Jeannin [6] although a Leaguer, likewise took the oath. Fervaques had more trouble with the Chambre des Comptes, but again by his personal influence, and we may guess also

[1] From January Fervaques had often seated himself at the bureau of the palais and harangued the parlement. This extract and the matter in full are taken from the *Journal du Palais*, 'Extrait des registres du P. Bib. Dijon Fonds de Juigné.'

[2] Denis Brulart, formerly conseiller at the parlement of Paris; died, 1611.

[3] Desbarres was mayor of Dijon, 1574, and became canon of Langres; died, 1599.

[4] Claude de Crespy, fifth president.

[5] Nicolas de Montholon, sixth president: president, 1585; died, 1603.

[6] Pierre Jeannin was now third president; born at Autun, 1540; resisted the idea of a massacre at Dijon in August 1572; resigned office, 1602; died, 1623.

by threats, finally won over the president and the maître des comptes : indeed it is recorded in the register that certain of them swore only to save their goods. Democratic as the League was, or at any rate became, in the large towns, its methods are made clear by the above incidents : and the large numbers of citizens who hated the democratic control, but dared not move, is made certain by the enthusiasm with which Henry IV was finally welcomed by the former Leaguer towns. The new Royalist court at Flavigny only consisted of seven : an edict was consequently necessary to give their arrêts sovereign authority. Early in April fresh adherents came in : the maître des requêtes Bossuet, conseiller Lagrange, the procureur à la cour, and the auditeurs des comptes arrived at Flavigny.[1] The conseillers de parlement Colard, Saumaise, Millet, La Reynie, and procureur général Picardet [2] soon followed. These all, of course, had to escape from Dijon on various pretexts and under promise of return : their property and, in some cases, their wives suffered when their destination was realised.[3] The avocat général Maillard, and procureurs Mignard and Turreau, with the conseillers Molleron and Tisserand arrived in May, and finally Briet and Milletot in the autumn.[4] The number of magistrates at Flavigny was now twenty-nine. The schism was now complete : two parlements—shortly two estates—two sets of financial machinery were claiming equal or rather supreme authority in the province. An interesting constitutional question from our point of view : legal tradition, continuity, an appearance at any rate of popular support on the one side ; on the other, the royal authority, such as it was, a few nobles, several paid crown officials. Yet the Holy Union stood for foreign power in France, for clericalism, for the very disintegration of the country : and the royal power, however weak and

[1] *Archives Municipales*, Dijon, B 226, f. 236.

[2] Hugues Picardet, sieur de Belleveure, was born at Mirebeau, 1560; died, 1641. *Arch. Mun.*, Dijon, B 226, f. 229.

[3] *Arch. Mun.*, Dijon, B 226, f. 201.

[4] *Arch. Mun.*, Dijon, B 227, f. 77, August; id., f. 110, October.

unsatisfactory the then wielder of it, stood for national freedom and unity. Before long a town of more suitable size became available for the purposes of a royalist centre, Semur en Auxois, and Tavannes, to whom the necessity of raising the usual taxes on that part of the province over which he exercised some power became pressing, summoned the estates to meet at Semur in May 1590.[1]

Before considering these estates it may be useful to outline the various administrative, electoral, and financial divisions of the province and to remember their significance in the sixteenth century; for the names, though similar, carried a different meaning in the two following centuries. Dijon, the seat of the parlement, had also a chambre des comptes, cour des aides, and was a siège présidial. They varied very much in number, and since Henry II's reign had largely replaced the bailliages. These présidiaux were normally Châtillon sur Seine, Semur, Autun, Chalon sur Saône, Macon, Charolles. Some confusion was caused by an arrêt of the royalist parlement, May 15, 1589, transferring some of these seats: thus Chalon was transferred to Louhans, Châtillon to Aisey le Duc, Dijon to Is sur Tille, and then to St. Jean de Losne, Autun to Saulieu, Charolles to Bourbon Lancy.[2] The whole financial area under the control of the estates was the Généralité of Dijon. The chef lieux d'élections were some eighteen in number and hardly worth numerating, but those of Beaune and Nuits were transferred to St. Jean de Losne, and Avallon to Montréal.[3]

Auxonne across the Saône, in theory in the ressort of Dijon, at this date enjoyed a complicated and unsatisfactory system of its own. The Saône roughly divided elsewhere Burgundy from Spanish Franche Comté. The Monnaie was transferred from Dijon to Semur, and the Bureau de la Traite Foraine to St. Jean de Losne.[4] The

[1] 'Procès verbal of the royalist estates of Semur,' *Arch. Dép. Préfecture*, Dijon, C 3070, 4.

[2] *Registres du parlement*, Bib. Dijon; *Fonds Saverot*, Tom. iii.

[3] *Idem.*

[4] *Edict*, May 12, 1589; *Fonds Saverot*, Tom. iii.

Chambre des Comptes was at Semur and the relationships of the magistrates with the élus royalistes were very intimate owing to the necessities of the times. Frequent conferences were necessary between them ; and the élus were constantly claiming the support of the parlement to sanction their decisions by an arrêt. This close union of parlement, états, chambre des comptes, went far to strengthen the position of the little royalist centre. Such union in normal times would have been remarkable, and might have acquired for provincial governments an authority to which they never attained.

At these estates of Tavannes the clergy were represented by very few ecclesiastics, and only one of importance, d'Escars, bishop of Langres ; the noblesse by forty-five gentilshommes, chiefly from the Auxois, the best known being de Ragny,[1] Marcilly de Cypierre,[2] the Marquis de Nesle, Choiseul de Chevigny, and the two Chantals [3] ; the tiers by nineteen deputies. Their names, in themselves of no interest, are of value in showing what sort of popular representation was attracted to Semur.

The leader of the tiers was noble François Fyot, ' qui se dit maire de Dijon combien il ne fut jamais élu ni entré dans lad: ville.' [4]

M^e^ Benigne Petit, procureur général du roy.

Ospiard, con^ser^ au ball: d'Ostun,[5] élu par les refugiés de lad: ville.

Sirmot, maire de la ville de Semur.

Nicolle, echevin deputé d'icelle.

J. B. Chevalant, con^er^ au baill: de Nuys, élu par les refugiés de lad: ville.

[1] François de la Madeleine, afterwards governor of the Nivernais ; born, 1543 ; died, 1625.

[2] Humbert de Marcilly, cousin of above. He was the son of the tutor of Charles XI, governor of the Auxerrois and Knight of the St. Esprit, and held many titles.

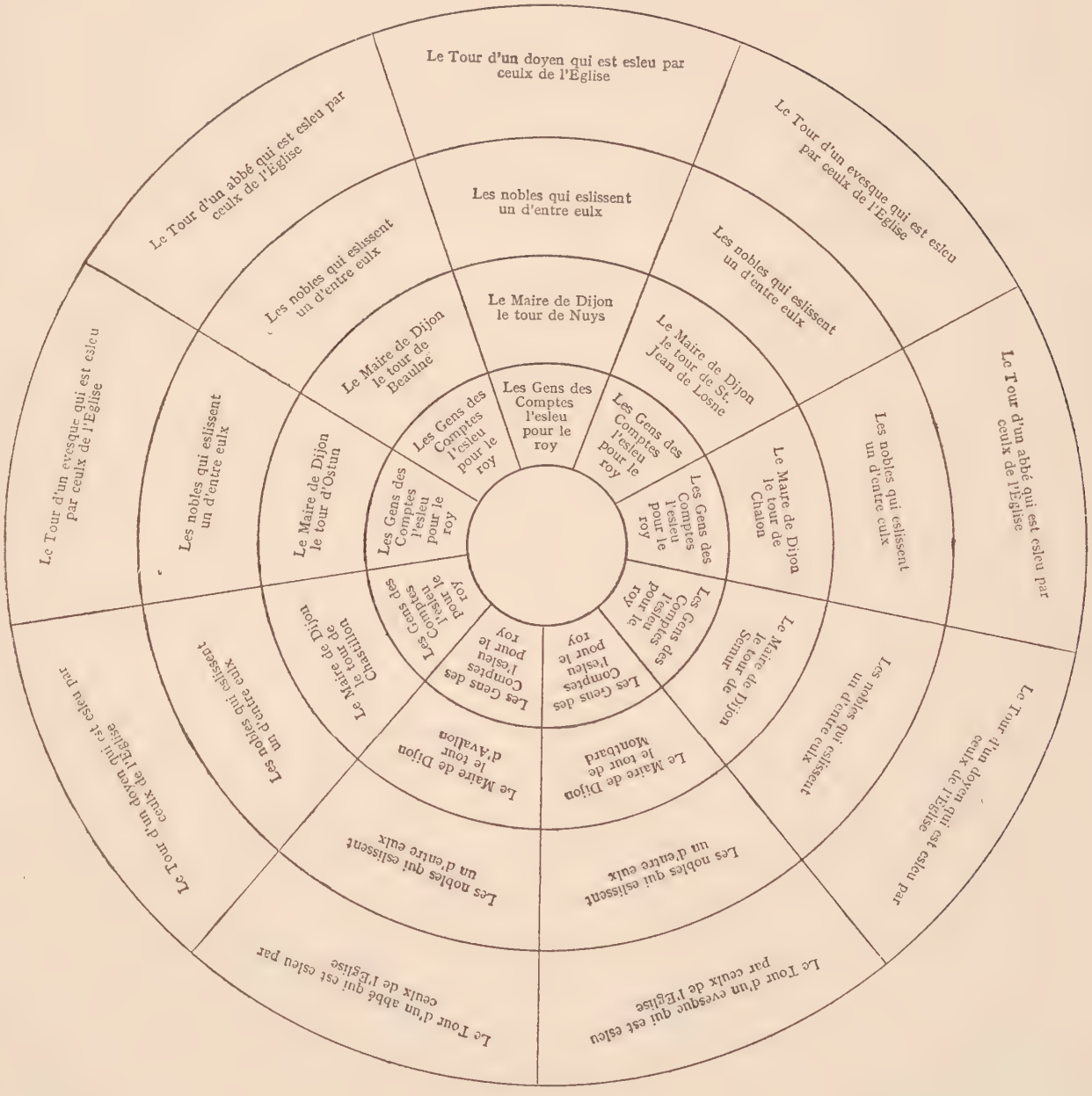
[3] For all these men see Beaune and d'Arbaumont, *La Noblesse de Bourgogne aux états*, also register C 3070, *Arch. Dép.*, Dijon.

[4] *Arch. Dép.*, Dijon, C 3070, 4.

[5] Autun.

ROUE POUR SÇAVOIR LE TOUR DES EVESQUES ABBÉS ET DOYENS QUI SONT ESLEUS EN L'ASSEMBLÉE GÑALLE DES GENS DES TROIS ESTATZ DE BOURGOGNE QUI SE FAICT DE TROIS EN TROIS ANS LE TOUR DES NEUFV VILLES DUD: DUCHÉ AVEC LE VIC: MAJ: DE DIJON QUI DOIBVENT ASSISTER AVEC L'ESLEU DES NOBLES LES GENS DES COMPTES ET ESLEU POUR LE ROY À TOUS FEU ET IMPOSTS QUI SE FONT SUR LES SUBIECTZ DUDICT ET DEPARTEMENS DICEULX.

(Archives Dép. Dijon, 1564
C 3070.)


Le Tour d'un doyen qui est esleu par ceulx de l'Eglise
Le Tour d'un evesque qui est esleu par ceulx de l'Eglise
Le Tour d'un abbé qui est esleu par ceulx de l'Eglise
Les nobles qui eslissent un d'entre eulx
Les Gens des Comptes l'esleu pour le roy
Le Maire de Dijon le tour de Nuys
Le Maire de Dijon le tour de St. Jean de Losne
Le Maire de Dijon le tour de Chalon
Le Maire de Dijon le tour de Semur
Le Maire de Dijon le tour de Montbard
Le Maire de Dijon le tour d'Avallon
Le Maire de Dijon le tour de Castillon
Le Maire de Dijon le tour d'Ostun
Le Maire de Dijon le tour de Beaulne

Audin, ville de Montbard.
Noble G. de Filzjean, s^r de Chaolnes.
Le Con^ser du roy au baill: d'Avallon.
Notaire royal dep: de lad: ville.
Procureur du roy au baill: de Chastillon.
Lieut. criminel au présidial d'Arnay le Duc.
Mornay, procureur baill: de Seurre.
Procureur syndic. de Flavigny.
Commissaire de l'Artillerie.
Garde des vivres. (This man had been named by Tavannes to regulate market prices in the Auxois.)
'Toutes les aultres villes n'ont aulcun deputé en lad: assemblée.'

This hardly seems a representative body, and it was not; but the presence of royal officials was not more marked than in normal estates.[1] The noblesse were fairly well represented, but the clergy, who were naturally Leaguer, and the tiers, who were after all only a section of the people, and that the Leaguer town element, were mainly absent.

The Estates of 1590.

The opening harangues were given, as usual on such occasions, at great length by Guillaume de Tavannes and Fremyot. The chief points were :—

1. The assembly recognises Henry IV as sole lawful King, and prays him to confirm the old privileges of the province, to preserve the Church, and to provide for the government of the province.

2. To deprive all royal officials who remain in the rebel towns. To summon the magnates for the last time to

[1] See the 'wheel' for the normal manner of representation at the estates. This was drawn by some clerk about thirty years earlier, but the method of representation had not altered. Burgundy, besides the advantages of a Pays d'Etat, had also certain exceptional privileges in the matter of taxation.

recognise his authority under penalty of rebellion and lèse majesté.

3. To confirm the edict of Henry III which annexed Macon, Auxerre, Bar sur Seine, to the ressort of the parlement.

4. To render the magistrates of rebel towns responsible for the royal deniers (*i.e.* by means of confiscation), also to make them responsible for the seizure of loyal men's goods.

5. To constitute a proper chambre des comptes.

On these points the three cahiers are agreed.

(*a*) The noblesse invite Tavannes to suppress futile garrisons and dismantle all fortresses built by 'particuliers n'ayant aulcun fief ni jurisdiction.' The tiers assent; the clergy make no comment.

(*b*) The noblesse require Tavannes to appoint none but capable and devoted men to his council. The clergy and tiers are not wholly favourable; probably they scent danger from the possible appointment of Huguenots. The noblesse as such had always far less natural antipathy to the Reformation movement than had the tiers, and obviously the clergy.

(*c*) Ecclesiastics to recommend obedience to the King; this by the noblesse and tiers.

(*d*) The cahiers agree in praying Tavannes to keep open and assure as far as possible the 'voies de commerce.' 'Business as usual' was as popular a cry amongst the trading classes of the sixteenth century as it has been to-day; and it is curious to notice how often commercial interests outweighed the wishes of devoted partisans whether Royalist or Leaguer.

The money is next voted, and now comes some considerable dissension. The clergy at all times have an especial aversion to parting from their endowments. They demand 'd'estre deschargés de toute contribution sans exception, afin de n'etre point distrait de leurs fonctions pieuses.' A very ingenious formula! The other estates

reply 'qu'il ne sera rien innové à ce qui s'est fait du passé.' Tavannes is emphatic on the subject. The clergy protest with vigour. In reality their protest had little meaning because practically all the clergy were Leaguers; and as time went on and the power of the royal governor grew, the time-honoured practice of seizing their temporalities to ensure payment was employed. Finally—

50,000 écus were voted for the King's service;
4000 for the governor, *i.e.* the Count of Charny[1] who was however in Mayenne's hands;
2000 for Tavannes;
500 for Fremyot;
100 for the secretary of state de Gesvres;
10 per month for messengers.

Cothenot, a counseiller, informed the estates that a German lord offered to lend 150,000 écus if the King would guarantee him the mortgage on the comté de Neuchâtel. The estates answered that so far neither their powers nor inclinations extended.[2]

The tiers next presented a petition to the King on the subject of ravages, thefts, and violence committed by the men of St. Sorlin and de Viteaux in the Charollais. The two other orders assented.

The noblesse and the tiers call on the parlement to pursue as rebels those who, since the interdiction of the parlement at Dijon, call themselves élus and pretend to exercise that authority.

The parlement, by its spokesman the Procureur Général Picardet, issued an injunction to the Syndic des Etats to pursue 'ceux qui demeureront dans leurs maisons les bras croisés sans assister le roi de façon que ce soit,' as well as against 'traîtres qui par artifices ont empesché les

[1] This is the same governor of Burgundy who saved the province from the St. Bartholomew massacre. His correspondence I have collected for the Huguenot Society, by which it has been published.

[2] Some of the loan was finally raised by the Cantons of Zürich, Basel, and Bern, *Arch. Dép.* Dijon, C 3070, f. 61. The *Archives Mun.* also contain many contracts with the Catholic Swiss in the Leaguer interest.

gens de bien d'agir pour le service du roy.' It was also decided that none who had any dealings with the League were eligible for office unless they formally gave in their obedience to the King, to the parlement, and to the governor. The question of helping Marshal d'Aumont in warlike operations against the Spaniards was considered. The élus invited de Crespy to advance 3000 écus for Aumont's expedition. He replied, probably truly, that he had no money. The tiers protested against any idea of the expense being thrown on the généralité, and a loan amongst persons of substance was decided on. Fyot who had gone to an assembly of élus at Flavigny had been captured by Leaguers and put up to 2000 écus ransom. This sum was ordered to be raised.

Procureur Général Picardet who had deserved well of the national cause was ennobled.

Finally the letters patent were produced which named Tavannes Lieutenant General of Burgundy during the forced absence of Charny.

To turn to the rival organisation of the League. At its strongest the League had about forty of the parlement: the first President Bruslart, the second Des Barres, the third Jeannin, and the famous conseiller Pierre Bernard are the only members who need be mentioned; of these several afterwards fled and turned up, as we have seen, at Flavigny.

The Leaguer Estates held in October 1590 and convoked by Fervaques were attended by numerous deputies[1]: practically the whole of the higher clergy; for the tiers, all the towns and élections, except Semur and Flavigny, mainly represented by legal officials; for the noblesse, comparatively few of little mark, except such names as

[1] All Leaguer assemblies are difficult to describe in detail for the reason that the restored parlement at Dijon, by an arrêt of July 1595, ordered all registers of the pretended authorities of the League to be *rayés et biffés*. A few only *biffés* are amongst the *Arch. Dép.*, but more may be gleaned from the *Arch. Mun.* In many cases registers may be seen from which the pages have been torn out.

de Lux,[1] de Vitteaux,[2] Sennecy,[3] Montmoyen,[4] de Thenissey. Of these Lux and Vitteaux were conspicuously scheming and self-seeking Leaguers; the next two were devoted adherents of the house of Lorraine; and the last was little better than a brigand. The parlement and estates soon became of less and less authority: the Conseil d'Etat de la Ligue was the real power in the province, and the parlement was often engaged in trying to prevent the excessive harshness of the élus towards the poor, and generally to regularise the finances. Mayenne himself was disposed to deal kindly with the poor peasant defaulters; but power was slipping from the relatively decent Leaguer chiefs and, as in Paris, was falling into the hands of a section of the municipality and the lower classes. We must seek our information for the nominal acts of Leaguer estates and parlement, not in the archives of the palais, but in those of the Chambre de la Ville. The municipality, furiously Leaguer, regarded the parlement as very lukewarm and never ceased to do all it could to lessen the magistrates' authority. Their wishes were frequently ignored and the replies to the parlement were always disrespectful and often insolent. One curious act of usurpation by the Chambre de la Ville is worth relating. The municipality summoned its bishop, d'Escars, who was, as we have seen, a Royalist, to name a Vicar General within fifteen days; or failing that the chambre would appoint one without reference to the bishop. D'Escars refused to be bullied, so the town council appointed one of its own members, Claude Péto by name.[5] Clement VIII gave a bull to confirm these powers.[6] It is curious to see a

[1] Edmond de Malain was nephew of Epinac, archbishop of Lyon; arrested at Blois with the Guises, 1588.

[2] Maurice de Vergy. For the treachery and pillages, even in churches, of these two see the *Journal de Breunot.*

[3] Claude de Baffremont.

[4] Edmond Regnier, governor of Beaune until its capture by Biron, 1595.

[5] *Arch. Mun.*, Dijon, B 228, f. 181; *La Cuisine*, ii. 189.

[6] Registered in parlement, 1592; *Arch. du Greffe*, B 12085, f. 25.

pope for political advantages supporting an irregular civil power against a dignitary of the Church. Montholon and Bruslart with growing bitterness had to submit, after a useless wrangle, to this and other humiliations; and their complaints addressed to the Vicomte de Tavannes [1] passed unnoticed. The credit of the parlement fell more and more, and all real power belonged to the curés, the orders, and the mob. Here at Dijon was being reproduced the situation in Paris: the municipal council had slipped from the control of the parliament and the Council of Union. The clerical democracy of the League was the cause of its immense popularity and its strength up to a certain point, but it sickened the Leaguer nobles; and Mayenne soon loathed in his heart the spirit of anarchy which his brother had conjured up, and possibly might have controlled, but which he himself was wholly incapable of exorcising.

Thus all the elements of final success were on the royal side, and the province in general came round without much difficulty: the capital, as usual, remaining Leaguer to the end. The final rejection of the League was caused by the growing nationalism of the people: the feeling that Spain and the internationalism of the Jesuits were the common enemy; 'pereat societas judaica cum tota gente iberica.' The proximity of Spanish territory to Burgundy soon made this sentiment predominant as the popularity of the Lorrainers waned, for they were hardly French; and Mayenne, however irksome he may have felt it, depended largely on the Spanish goodwill.

The French nation since its making by Louis XI has ever shown an extraordinary sense of nationality when menaced by a danger from without, and a unity known to no other country in the face of the enemy. This admirable feature of the French people is again being amply displayed to-day.

[1] Jean de Saulx was brother of Guillaume the royal governor, and both were sons of the marshal.

THE ERRORS OF LORD MACAULAY IN HIS ESTIMATION OF THE SQUIRES AND PARSONS OF THE SEVENTEENTH CENTURY.

By the Rev. P. H. DITCHFIELD, M.A., F.S.A., F.R.Hist.S.

Read May 20, 1915

I FEEL somewhat diffident in venturing to read a paper on the subject of the work of the great historian, on whose writings the President of the Royal Historical Society is the leading modern authority. His new edition of Macaulay's 'History' is a work that has been welcomed by all historical students, and the wealth of the illustrations corresponds with the richness of the style of which the historian was a past master. No one can study the 'History' without experiencing the pleasure of reading the graceful, flowing, well-balanced sentences, the pure English, the rhythm of each phrase, and of noting the graphic power of description and characterisation. It may be that the more exact historians of our own day, whose facts are supported by numerous references to authorities and documents, who never give the rein to their imaginations, take too little trouble to clothe their bare statements with suitable adornment, and cultivate a bald, tedious and cumbersome style depressing to the reader, might learn a lesson from the elder school of which Lord Macaulay was so bright an example.

But accuracy is the first essential in historical writing, and one of the greatest sins of an historian is to distort facts in order to support his own particular views. Of this offence I venture to suggest that Macaulay was guilty in his estimation of the squires and parsons of the seventeenth century. Now Macaulay is admittedly a bitter

detractor of both these classes. Being politically opposed to the deep-seated opinions of the gentry of England, he sought to belittle and defame them. They were unmitigated Tories, and therefore hateful to him. His account of both classes of persons is pure romance, entirely imaginary, and destitute of foundation, as we shall see presently, and entirely unworthy of the famous but unreliable writer.

The passages are probably well known to you. They are too long to be quoted here, and I shall venture only to summarise the charges. We will take those levelled against the squires first. Macaulay begins by contrasting the modern country gentleman, educated at Eton and Oxford or Cambridge, spending much of his time in London and possessing a noble country seat, with his prototype of the seventeenth century, who was comparatively (the writer asserts) a poor man, did not travel on the Continent, had no house in London and seldom visited it. Macaulay seemed to imagine that London was the only centre of light and refinement, and that no one could be a gentleman without paying constant visits to it. The squire of pre-Revolution times received his education from grooms and gamekeepers and could scarcely sign his name. If he went to school and college he soon forgot his academical pursuits in handling pigs, drinking with drovers, hunting, and in unrefined sensuality. His language was that of ignorant clowns, interspersed with oaths, coarse jests, and scurrilous abuse in provincial dialect. His home was a fourth-rate farmhouse, with farm litter under the windows of his bedchamber and cabbages close to his hall door. Coarse plenty loaded his table. He drank too much, and he drank beer. His wife cooked the midday dinner, and the squire and his guests spent the afternoon in drinking ale and smoking tobacco. His opinions upon religion, government, etc., were those of a child. He hated Frenchmen, Italians, Scotchmen and Irishmen, Papists and Presbyterians, Independents and Baptists, Quakers and Jews, and Londoners. His wife and daughters were in

their tastes below a housekeeper or still-room maid of the present day. They stitched and spun, brewed gooseberry wine, cured marigolds and made the crust for the venison pasty.

The squire did not differ much from a rustic miller or alehouse keeper, unlettered and unpolished, but he was still a gentleman. He was a member of a proud and powerful aristocracy. He had great family pride, was skilled in heraldry, a magistrate, an officer of the trained bands, had fought in the Civil War, though his military dignity might move the mirth of gallants who had fought in Flanders. He was a plebeian in low tastes and gross phrases, a patrician in matters of heraldry and in maintaining the honour of his house. He was a Tory, disliked courtiers and ministers, the scandals of Whitehall, and Stuart ingratitude. But he was loyal to Charles, and would have been to James II if the latter had not outraged his strongest feelings in attacking the Church of England, which he ardently loved, though (according to the traducer) he did not understand her creed and habitually disobeyed her precepts.

Such is the indictment. In my summary you will miss the admirable phraseology and the well-balanced sentences, so judicial in their form, so sonorous in their rhetoric, But it is all specious and false. There were, doubtless, some obscure country squires who answered in some measure to this description, some few boors—and indeed I have found such in Sussex whose habits are revealed by their diaries ; but to apply this wholesale condemnation to the generality of the country gentlemen of England in the seventeenth century is utterly misleading and preposterous.

We will examine the charges in detail, and in the task of refutation I am greatly assisted by the 'Letters of the Sitwells and Sacheverells' which Sir George Sitwell discovered in the old home of his ancestors, Renishaw Hall, Derbyshire, amidst the contents of an old lumber room, and which he has kindly placed at my disposal.

Macaulay states that the squire was a boor, ignorant and uncouth, with low tastes, etc. First, his beautiful home, many examples of which remain, is a witness against the charge. The old manor-houses of England cannot be surpassed in charm and picturesqueness. When I was writing my book on the 'Manor Houses' I had a large number of sketches and drawings in my possession, and a foreign artist came to pay me a visit. He knew France and Belgium, Germany and Italy well, and he said 'We have nothing like these on the Continent.' Instead of having a manure-heap under his window and cabbages at his door, the old squire took a great pride in his home. He built it not for himself but for his descendants. He and his fathers before him owned the land and farms and village. It never occurred to him that his family would ever leave the village. He built for his sons and grandsons. He lighted what Ruskin calls the Sixth Lamp of Architecture, the Lamp of Memory, and considered it an evil sign of a people for houses to be built carelessly for one generation only. He took a special pride in his garden and made it beautiful with old-fashioned flowers and terraces and yew hedges. Is it possible that a boor could build such gems of domestic architecture as these old manor-houses? Or that the sons of the men who erected them should suddenly have degenerated into such hopeless plebeians? These houses themselves and their gardens are witnesses of the good taste of the squires.

But they were poor, and therefore to be despised, according to Macaulay. But is that so? According to statistics, after the Restoration the average income of knights and squires was estimated at £400 to £800 a year. But the purchasing power of money in those days was at least four times as great as it is now, and you must multiply the above incomes by four if you would arrive at a just estimate. An income of £1600 or £3200, if not princely, is fairly ample, and many squires at the present day would gladly possess such an amount. Mr. Sitwell of Renishaw

was fortunate in having an estate worth £800 a year, and also derived another like sum from the iron furnaces and forges upon his property. So he was a wealthy man in those days when manners were simple and more primitive than they now are. Moreover Macaulay did not think it worth while to mention the immense sacrifices which the squires had made for their loyalty. Many of them had garrisoned their houses for the King during the Civil War, and seen them battered down by Cromwell's cannon. They had given gladly to the royal cause, fought at the King's side, or with Prince Rupert, at Naseby and other battles, fearless in their charges, losing life and sons and property in that disastrous war. And then, when their homes were ruined and their cause lost, they had to pay vast fines to the triumphant Parliamentarians, were sometimes driven from their estates, as Malignants, which were confiscated and given to some Roundhead, and they had to fly for safety to foreign shores. No wonder that many of the squires of the Restoration period were poor men, but it was a poverty that was honourable to them ; and the faithless Stuart failed in most cases to reward them for their loyalty or to compensate them for their losses. Still with an income of £1600 a year, according to the present value of money, they were not exactly such paupers as Macaulay painted them.

The next charge is that they never visited London. Contemporary writers tell us that they were always riding post to the metropolis, and spending their substance there when they ought to have been occupied with the care of their estates. Bacon tells us that ' he was wont to be very earnest with the country gentlemen to go from London to their country seats, and sometimes he would say to them " Gentlemen, at London you are like ships in a sea which show like nothing ; but in your country villages you are like ships in a river which look like great things." ' King James renewed certain edicts of Queen Elizabeth and issued proclamations containing severe menaces against

the gentry who lived in London. Doubtless he had ulterior motives, such as the diminution of the expenditure of the Court, and the distribution of political power. Nor did he lack wisdom. His measures were beneficial to the nation. The condition of the country gentry during the period preceding the Civil War was most prosperous. They amassed wealth; they increased their influence by their hospitality in their homes; they were known and loved by their dependents, and as David Hume remarked, 'Could human nature ever reach happiness, the condition of the English gentry at this period might merit that appellation.'

The sons of these men would not readily forego the attractions of London when no proclamations barred their way. And one business invariably brought them regularly to town, and that was their legal affairs. The old squires were very litigious people. They often quarrelled about boundaries, leases, loans, and everything else about which they could raise a dispute. Hence it was necessary for them to ride to London to see their lawyers. Few who lived within five days' journey from the metropolis failed to visit it fairly often. Mr. Sitwell of Renishaw used to go there every spring, usually in April or May, and occasionally again in August. It was no small business going to London in those days. You could not make up your mind at breakfast to go to town by the morning express and return the same evening. Our Derbyshire friend began his preparations a month or six weeks in advance, and a week before starting a trunk of clothes was sent on by the carrier. He left the Hall at 7 A.M. attired in a riding-suit, top-boots, a horseman's cloak, and a 'mounteroe' or Spanish travelling-cap of velvet. Pistols were borne in the holsters, as he had to ride through Sherwood Forest, which was a noted haunt of highwaymen; and behind him rode a footman in livery, carrying his portmantle, containing clean linen, a night-gown, night-cap, and a change of clothes, and a hat-case upon the saddle. The first night was spent at Nottingham, the second at Harborough, the third at Dunstable, and

the fourth saw him safely lying in bed at the Greyhound Inn, Holborn, next to Furnival's Inn, where he stayed a fortnight or three weeks. He spent his days in seeing friends, buying clothes, books, silver plate and tobacco, attended divine service at St. Andrew's, Holborn, or St. Paul's. He transacted his business, visited Whitehall, and quietly enjoyed his days, eschewing all the attractions of the theatre, cock-pit, or coffee-houses. If all the squires did not frequent London as much as Squire Sitwell did, or as Lord Macaulay desired, the historian must remember that in the seventeenth and eighteenth centuries London was not the centre of learning and fashion it has since become. Each county town had its 'season,' and county families had their town residences, not in London, but in York, or Reading, or Derby, or Leicester, the capital of the county in which they lived. So much for the accusation that the squire was a boor because he never went to London.

But then he spoke like a labourer. He was guilty of speaking the dialect of his district. That may have grated on Macaulay's fastidious ears. But in his dealings with his farmers and labourers, in his conduct on the Bench, how was the squire to make known his commands, examine witnesses, hear grievances, settle quarrels, if he did not know the language of the people? I have known many a squire of high degree in the present civilised age who could talk the distinct provincialisms of his county with pride and zest. He was immensely proud of his knowledge. Dialect words afforded him much pleasure in the tracing of their origin and meaning. He could talk as broadly as a labourer in a cottage, and as correctly as a lord in the drawing-room. Railways and the schoolmaster are killing the old dialects, reducing the whole of the country to perfect uniformity of speech. But even still a magistrate finds a study of dialect useful, especially in the North, and in a court of law not long ago a witness said that she was 'Mine deedy,' an expression that puzzled everyone who was not born in the delectable county of Berks. It was

no disgrace to a squire to be able to address his men in the vernacular, nor any mark of extreme rusticity.

The historian states that the squire in education differed little from his menials, that he had no books, that grooms and gamekeepers were his only tutors, and that he could not even sign his name. All this is a gross libel. The young squires usually received their early education from the chaplain and at a public or grammar school, which, as Mr. Leach informs us, were two terms for the same thing. This practice of the upper and middle classes meeting together in the local grammar school produced excellent results, and promoted good feeling and friendship between the various members of society. The young squire proceeded to Oxford or Cambridge. He was better educated in Greek, Latin, logic, philosophy, divinity, and law than the average country gentleman of to-day. He was very fond of adorning his house with apt Latin quotations, and, as at Loseley, his humour and play upon words were frequently illustrated. As to books, there were more private libraries in England than in any other country in Europe, and the country squire was so bad a scribe that he usually kept a diary and recorded the chief events of each day, the money he spent, the expenses of his estate, and not a few of the public events of his age. The muniment-room of his house contains stores of his letter-books, account-books, and memorandum books, which are a sufficient refutation of Macaulay's charge that he could scarcely sign his name.

If we peep into his bookshelves we should find the works of Homer, Aristotle, most of the great Latin classics, Fox's 'Acts and Monuments,' Ussher's works, the writings of the Fathers—Tertullian, Polycarp, Eusebius, etc., Leigh's 'Critica Sacra,' Jewel's works, Fuller's 'Holy War,' several histories, Bacon's 'Essays,' Erasmus's 'Colloquies,' some works in French, mathematical books including Oughtred's 'Trigonometry,' Civil War Tracts, Evelyn's 'Sylva.' These are only a tithe of the contents of his library, but they are

enough to show that the owner was a well-educated man, and in Squire Sitwell's case the claim may be borne out by the existence of a Latin manuscript in his own handwriting upon the art of logic.

Macaulay charges him with being a sportsman. He would have been delighted to plead guilty to the impeachment, and to argue as to who was the better man, the sportsman or the exquisite and dilettante. A sporting squire once said of the latter: 'I have laughed heartily to see such delicate, smock-faced animals judiciously interrupting their pinches of snuff with dull jokes upon fox-hunters, and foppishly declaiming against an art they know no more of than they do Greek. It cannot be expected they should speak well of a toil they dare not undertake; or that the fine things should be fit to work out-of-doors, which are of the taylor's creation.'

The squire loved sport of all kinds, hunting and shooting, but his skill in the latter would not have satisfied our modern gunners with their breechloaders and battues. He could shoot with his old gun a rabbit or a pheasant if they kindly waited to be shot; but he could not 'shoot flying.' I do not think that I need to defend the squire's love of sport.

But he drank beer, says Macaulay. Yes, and he brewed it, too, a good sound beverage, without any modern adulterations; but that his chief pleasure consisted in drinking himself under the table is another false charge. Excess was the exception and not the rule in the class to which he belonged at that period, and Macaulay would have been pleased to know that the squire did provide wine for his guests, and that his cellars were amply stored with claret and sack, Malaga and Rhenish wine. As to his 'handling pigs' and frequenting fairs, he left such tasks to his steward.

Not content with maligning the squire, Macaulay dared to attack the ladies, and deserved a good buffeting for his pains at the hands of the outraged females. The diaries

and family papers which have been preserved prove the falseness of the charges. I have no time to dwell upon the charms of the quiet, calm, dignified dame who ruled the squire's household two centuries ago, or of the brave ladies who, in the absence of their husbands at the wars, garrisoned their homes and held them against the troops of Cromwell. Such a heroine was Mistress Brilliana Harvey, who defended Brampton Bryan against the Royalists, and when implored to surrender had but one word to answer: 'My lord bids me hold out.' Of these and their successors the historian has the audacity to assert that they were in tastes and acquirements below a housekeeper or a still-room maid of the present day. Of one it is said that she 'playes on the espinetto and organs and gittar and danceth very well.' They were skilful with their needles and fashioned tapestry. To have a smattering of French, to be read in the homilies of the old divines, to know the history of England's glories, to have a fair acquaintance with the exploits of the heroes of Greece and Rome, to be proficient in the rules of etiquette and deportment, to speak the English language accurately, 'modestly and tastefully,' to have a ready appreciation of the 'true sublime' in poetry or prose, and to be loyal to their King, were some of the attainments of the seventeenth-century gentlewomen, who looked after their households, cared for the villagers, educated their children, and sought suitable suitors for their daughters and wealthy brides for their sons.

To return to the squire. Macaulay casts doubts upon the genuineness of his attachment to the Church of England, and accuses him of bigotry. He had an abundant excuse. He had seen the triumph of the sectaries, his friends and pastors driven from their rectories, and their places taken by illiterate zealots of humble origin, no education, and worse manners, troopers who had a turn for preaching, or petty tradesfolk. He had seen his own clergyman driven out and starved, and when the child of one of these dispossessed clerics presumed to ask an intruding minister

for a crust of bread, she was told by him that 'starving was as easy a road to heaven as any other.' No wonder that the squires of England had a bitter animosity against these representatives of religion, and a warm affection for the Church for which they had sacrificed so much. George Sitwell, in a letter to Lord Frecheville (1661), expresses well the current opinion of his class, when he states 'the late unhappy warr began in disputes about religion, and was the work of crafty wicked men, proud, insolent, factious, seditious spirits, who finding it best to fish in troubled waters had made godliness their game and religion a cloake to cover their intentions.'

He believed that it was the duty of every man to be careful in the service of God, but abhorred the cloak and mask of pretentious piety, supported the institution of bishops and the decent harmless ceremonies of the Church of England, but meddled not with the controverted points of faith.

Without dwelling further on his excellences, his mode of life and manners, I think we may fairly conclude that his portrait drawn by Macaulay is simply a caricature, and that the squires were useful in their generation, public-spirited and intellectual, courteous in their dealings with one another, and compassionate to the poor, and better judges of taste in architecture and gardening than at least one of their critics.

We will now turn to Macaulay's charges against the parsons. Let me say, lest I should be deemed guilty of slighting my cloth in using the familiar term 'parson' for clergyman, I mean no disrespect. The parson is and was the *persona* of the parish, an honourable title, not undignified, though modern usage has somewhat tended to attach to it a somewhat slighting or scornful meaning. Again the passage is too long for me to quote, and I must content myself with a summary. He begins by contrasting the condition of the parsons before and after the Reformation, when, owing to the confiscation of the revenues of

the Church, their incomes had seriously decreased. There were few prizes to be gained: no cardinal hats, no silver cross of the legate, no rich abbots or princely splendour of a Wolsey, William of Wykeham or William of Waynflete. Hence, says the historian, the sacerdotal office lost its attractions for the higher classes. The clergy were regarded as a plebeian class. A large proportion were chaplains in private houses, and suffered many indignities. As a condition for accepting a benefice he was expected to take as a wife the cast-off mistress of his patron, which, according to the traducer, was an inexhaustible subject of pleasantry to three or four generations of scoffers. There is much else of the same sort, and Clarendon and Queen Elizabeth are quoted in support of his contention—we shall see presently with what truth. Livings were so poor that a clergyman could not bring up his family comfortably. His household was beggarly. There were holes in the thatch of his parsonage and in his single cassock. He had to toil on his glebe, feed swine, load dung-carts. His children were brought up like those of peasants. His boys ploughed, and his girls went out to service. His books were ten or twelve dog-eared volumes kept among the pots and pans on his shelves, so that study was impossible.

Such is the gist of the indictment, which is untrue in almost every particular. It is true that prizes were fewer in the Church than they were before the Reformation, but that did not deter men whose hearts were in their work from becoming clergymen. Loaves and fishes may make the wrong sort of parsons, but it is unjust to say that the bulk of the clergy were attracted to the Church by prizes of preferment. It is true to say that more than twice the number of noble families were represented in the ministry than in the preceding period. Macaulay seems to have depended much for his information on Eachard's work on 'Causes of the Contempt of the Clergy,' the inaccuracies of which were pointed out, especially in a contemporary work entitled the 'Vindication of the Clergy.' As regards

Macaulay's statement that the parsons belonged to a plebeian class, it is founded on Eachard's complaint that the gentry do not send their sons into the Church. We have direct testimony to the opposite. Archdeacon Oley says 'the nobility and gentry do not think their relatives degraded by receiving Holy Orders,' and Anthony Wood, in his 'Life of Compton,' states that 'Holy Orders were the readiest way of preferment for the younger sons of noblemen.' Jeremy Collier said: 'As for the gentry there are not many good families in England but either have or have had a clergyman in them. In short, the priesthood is the profession of a gentleman.'

Eachard attributes the cause of the mischief with regard to the low state of the parsons of his day to the fact that they were taught in grammar schools until they were sixteen or seventeen years of age, in pure slavery to a few Latin and Greek words. The education given at Eton and other public schools at the present time is not generally deemed insufficient for boys who wish to work; and yet we have heard the complaint of Eachard echoed any time during the last fifty years, and grammar schools were splendid educational establishments, as Mr. Leach has shown, to which England owes most of her learning. Macaulay abuses the Universities; but Burnet states that 'learning was then very high at Oxford,' and Barrow says that Greek authors of every kind were studied—poets, philosophers, historians, scholiasts, Plato, Aristotle, etc. There does not seem to have been very much amiss. As regards the marriage of the clergy, Macaulay condescends to give no authority for his libel on the purity of the brides of clerics. He quotes, certainly, the saying of Clarendon to the effect that it seemed strange that damsels of noble families should have bestowed themselves on divines. Clarendon does say so; but he is speaking of 'the several sects in Religion,' and of the ministers of these denominations; and it is impossible for any man holding the views which he did to intend to designate the Church of England as

a sect. These 'divines of the times' were the Nonconformist ministers, not the Anglican clergy. The Injunctions of Queen Elizabeth, quoted by Macaulay, were intended to promote clerical celibacy, and did not refer to the stations in life of clergymen's wives. Collier notes the strangeness of the order. George Herbert warns his brethren against marrying for 'beauty, riches and honour,' as many of them did. Pepys, Nelson, and other writers of the period testify to the good birth and breeding of parsons' wives.

With regard to the incomes of the clergy, I have already alluded to the cause of their poverty, and if poverty be a disgrace, the charge must lie on those laymen who had purloined the property of the Church, not on their unhappy victims. But no one thinks any the worse of a parson who happens to hold a poor living; and there are hundreds of clergymen at the present day who are no worse off than those of Charles II's time. It is somewhat difficult to estimate in figures the incomes of the clergy of that period, and Macaulay judiciously avoids the task. He had not the advantage of studying such diaries as that of the Rev. Ralph Josselin (1616–1683),[1] which throws considerable light upon the subject. Macaulay states in general terms that not one living in fifty enabled the incumbent to bring up a family comfortably—hence the vicars had to take to manual employments, and were fed in the kitchens of the great—that study was impossible on account of the scarcity of books, and that their children were like those of peasants.

In order to refute such statements I may refer to Mr. Josselin's diary. He was the vicar of Earles Colne, Essex, and received £80 from his benefice. But this was only a small portion of his income. He received legacies from his relatives and friends, profits on his farm, a salary as a schoolmaster, some augmentations to his living, fees for acting as chaplain to Colonel Harlakenden's regiment, and was able to portion his daughters, one 'with my house I dwell in and land belonging thereto worth £400 and an

[1] Camden, Third Series, vol. xv.

£100'; and to another daughter about a month later he gave '£500 down and with my blessing sent her away.'

In order to ascertain the relative value of money and to compare it with that of the present day it is usual to multiply the sums by four. So £80 a year would be equivalent to £320. Eachard, Macaulay's authority, values livings at £20 to £30 a year, which is too low an estimate, as Walker in his 'Sufferings of the Clergy' estimates them at £40 to £45, which would be equal to £160 to £180, an amount, if not affluent, which would enable the clergyman to live and to furnish his table with fare which 'is plain and common, but wholesome, consisting of mutton, beef and veal; if he adds anything for a great day or a stranger, his garden or his orchard supplies it, or his barn and yard.' It was not usual for the clergy to engage in manual occupations, as George Herbert states that they were blamed for not doing so, and Walker says that it was a special hardship that during their persecution during the Commonwealth period many were forced to engage in such occupations. Josselin farmed his own land, but he does not seem to have acted as an agricultural labourer. On the contrary he was a constant writer and busy student, and a careful recorder of the chief events, political and ecclesiastical, of his time. He was the friend and spiritual adviser of most of the great people in the neighbourhood, and was very much disappointed when a lady of title forgot to remember him in her will.

The statement of the historian that sons of clerics followed the plough is pure fable, and that their daughters went into service is generally untrue. Josselin's 'An' had 'a place in London' where her father left her 'by agreement with Mr. Gresham in y^e^ Exchange of London,' where she caught the smallpox. But that this was unusual is proved by Fuller, who states that the children of the clergymen of his day have been as successful as the sons of men of other professions, and George Herbert, Beveridge's 'Private Thoughts,' Dr. Sprat's sermon on the 'Sons of

the Clergy Corporation' in 1678, and White Kennett's 'Collectanea Curiosa' might be quoted.

With regard to clerical libraries, Macaulay speaks disparagingly of the parson's 'ten or twelve dog-eared volumes' which repose on his shelves 'among the pots and pans.' If they were 'dog-eared' it is evident they were much read, and ten or twelve solid folio tomes have much in them. But this statement of the scantily furnished libraries of the parsons is entirely mythical. It is based upon our friend Eachard again, who talks of the parson equipped with six or seven books together with a bundle of sermons. The error was exposed at the time by the writer of the 'Vindication of the Clergy,' whereupon Eachard replies 'The case is this: whether there be not here and there a clergyman so ignorant as that it might be wished he was wiser. For my own part I went and guessed at random, and thought there might be one or so.' This somewhat cuts the ground from under the feet of the brilliant historian, and makes him look rather absurd.

A few parsons of the period were perhaps ignorant, and all must be deemed so and unhesitatingly condemned. The learning of the clergy can easily be proved from other sources. Walker shows that clerical libraries valued at £500 and £600 were plundered by the Puritans. Herbert's account of the reading of the country clergy is well known. Bishop Bull and Bishop Burnet's 'Pastoral Care' bear witness to the same. Nor was this learning confined to the Universities, cathedrals and London, as Macaulay would have us to believe, as the names of such scholars as Towerson, Puller, Sherlock, Norris, Fulwood, Fuller, Kettlewell, Beveridge, and hosts of others who sent forth their works from country parsonages abundantly testify.

All Macaulay's charges seem to break down, and he was evidently wrong on every point by omission or exaggeration. Because books were then difficult to obtain, and the manners of all classes somewhat rude and homely; because cases of low birth and conduct were occasionally

met with; because a smaller number of well-born young men might have been taking Holy Orders during the Commonwealth period, when few ordinations took place; because some bishops were lowly born, though of great learning and ability; because of all this, for one parson who made the figure of a gentleman, ten were mere menial servants.

There must have been some reason for this strange and savage attack by the historian on the whole race of parsons, and this reason is not far to seek. It was the result of political animus. The clergy of the period were unmitigated Tories, and therefore hateful to Macaulay. His account is pure romance. I cannot conclude this examination of the historian's charges better than by quoting the words of the *Quarterly* Reviewer,[1] who was none other than the late learned Prime Minister of England, Mr. Gladstone, to whose researches I am indebted for much that has been herein stated. He wrote:

'While history, in the form of romance, is commonly used to glorify a little our poor humanity, the illusions of this romance in the form of history go only to dishonour and degrade. That Williams, that Burnet, that Milton should have personal embellishment much beyond their due is no intolerable evil. But the case becomes far more grievous when a great historian, impelled by his headstrong and headlong imagination, traduces alike individuals and orders, and hurls them into a hot and flaming inferno of his own.'

[1] *Quarterly Review*, 1876.

MUNICIPAL ADMINISTRATION IN THE SPANISH DOMINIONS IN AMERICA.

By F. A. KIRKPATRICK, F.R.Hist.S.

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An official account of the Indies states that in 1574 there were 200 Spanish settlements or towns (*pueblos de Españoles*) in Spanish America, some of them ranking as cities, others as *villas* (*i.e.* boroughs or towns); 100 of these were in South America. Here is an extract from the book:—

'The city of Popayan is 22 leagues from the city of Cali, which bounds it on the North; and 20 leagues from Almaguer, which bounds it to the South. It has 30 Spanish householders (*vecinos*), of whom 16 are *encomenderos*. Its district contains 32 villages or divisions of Indians, with 9000 tributary Indians, divided into 19 *repartimientos*, 3 of them tributary to the king, the rest to individuals.'[1]

Another official report, of about the same date, yields the following extract:

'The city of Guamanga is 55 leagues from Cuzco: the boundary between them is 19 leagues from Guamanga. The boundary towards Lima is 27 leagues distant.'[2]

The extent and boundaries of other towns are similarly given. Thus the territory of La Paz measures 40 leagues in one direction, 30 in another, 40 in another. Quito has 27 leagues one way, 32 another, 12 another, and so on.

Two centuries later, in 1764, appeared an official account

[1] *Geografía universal de las Indias*, by J. Lopez de Velasco, ed. by J. Zaragoza, Madrid, 1894, p. 409.

[2] *Relaciones Geográficas de Indias*, ed. by M. Jiménez de Espada, Madrid, 1881–97, i. 116.

of the province of Venezuela.[1] Its main part is a description of the seventeen principal towns, eleven of them cities, the rest *villas*, thus : ' The jurisdiction of the town (*villa*) of Cura touches the jurisdictions of Caracas, Calabozo, San Sebastian, Valencia.' . . . ' The jurisdiction of the town (*villa*) of San Carlos measures 130 by 90 leagues,' extending to the jurisdiction of other towns which are named. . . . ' The town of Fernando has never had its jurisdiction fixed, whereof the householders complain much.'

Thus, in the eighteenth century, as in the sixteenth century, each town is described as extending up to the limits of its neighbours in the more settled districts. In the less settled parts the jurisdiction of a town was regarded as covering a wide region. In short, as in the Roman Empire, so also in the Spanish Empire, the municipalities were the bricks of which the structure was compacted.

In the treatise on Indian (*i.e.* American) administration written by Solórzano [2] early in the seventeenth century at royal command, the account of the civil administration begins with a chapter on the municipalities, which are shown to be the base of the administrative pyramid both historically and actually. The rules concerning them are given in this treatise and in the ' Laws of the Indies,' published in 1681. They follow mainly a royal edict of 1563, which is accessible in print.[3] The rules for their foundation may be here summarised first. Every duly commissioned *adelantado* or frontier commander was required to found at least three cities, with a province of villages depending on them. The governor of the district may decide whether the place is to be city (*ciudad*), town (*villa*), or village (*lugar*), and so to form the republic (*república*). The *adelantado* or leader of

[1] J. L. de Cisneros, *Descripción de Venezuela*, Valencia, 1764.

[2] J. de Solórzano Pereira, *De Jure Indiarum*, Madrid, 1629–39. *Política Indiana*, Madrid, 1649.

[3] *Colección de documentos. . . América y Oceania*, ed. by J. F. Pacheco etc., viii. 484.

discovery appoints *alcaldes*,[1] *regidores* or town-councillors, and other public officials in the first instance. Where he is not empowered to do so, the settlers may choose these officials. The *adelantado* assigns to each settler a building block in the city and a plot of land for cultivation outside. He has power to grant *encomiendas*, *i.e.* trusts or fiefs of Indians, to the settlers. Every *encomendero* is bound to build a stone house and live in the capital of the district to which his Indians belong. If any city sends out a new colony (*colonia*) only those may go who have no building site and no pasture or arable land in the city, in order to avoid depopulation.

In the absence of an authorised leader, ten married men may unite to form a settlement and may elect *alcaldes* and other officials.[2]

Minute directions are given for the choice of sites and for town-planning. Fronting the *plaza mayor* were built the church, the *cabildo* or town-hall, and the prison. Thence were traced straight streets intersecting at right angles and enclosing equal blocks of houses. This uniform chess-board plan, which is universal in Spanish America, atones for its monotony by its aspect of solidity, permanence, and deliberate design; contemporary accounts indicate that the constitutional form of foundation was followed with equal fidelity.

Obviously these rules apply mainly to the first foundation of towns. The right of assigning lands afterwards passed from the *adelantado* to the *cabildo*, and was later transferred from the *cabildo* to the higher authorities. The right of granting *encomiendas* was strictly limited, and in 1627 it is ordered that not even viceroys but only the Council of the Indies shall grant the rank of *ciudad* or *villa* to any settlement.

Legislation concerning the government of towns mostly

[1] The full title is *alcalde ordinario*, which distinguished these municipal officials from the *alcalde de Corte*, *alcalde mayor*, and *alcalde de la Hermandad*.

[2] *Leyes de Indias*, chiefly Lib. iv. and v.

dates from the sixteenth century. The model is the Spanish city, or rather the Spanish city before the authority of the municipalities was infringed by the appointment of *corregidores* in Spain. The principal cities are to have twelve *regidores*, the smaller cities and the towns (*villas*) six. In fact these numbers were often exceeded. Every year the *cabildo* is to elect two householders as *alcaldes*, but not from their own number. No viceroy or royal official is to interfere with this free election. No *alcalde* may be re-elected until after three years' interval. The *alcaldes* possess criminal and civil jurisdiction as a court of first instance throughout the territory of the town, with an appeal to the governor, *audiencia*, or *cabildo*, according to local custom. But appeal to the *cabildo* is very unusual and, after the introduction of *corregidores*, appeal was usually made to the *corregidor*, who also exercised concurrent jurisdiction as a court of primary instance. No governor or judge is to interfere with the *alcaldes'* jurisdiction, and the dignity of their office is to be respected. The *alcaldes* sit and vote in the *cabildo*, taking precedence of all others. In the absence of the governor or his deputy, the *alcalde* presides.

The *cabildo* had the right, formally granted in 1519, of sending an attorney or agent to the king's court in Spain. In 1621 it is ordered that agents shall only be sent to court in serious cases, examined and approved by the viceroy or *audiencia*. But four years later a royal decree directs viceroys, presidents, and *audiencias* to grant permission freely for the dispatch of agents or attorneys to court, not being relations of any officials concerned. To discuss matters of general interest, the *cabildo* could summon the chief *vecinos* to a meeting known as *cabildo abierto* (open *cabildo*) or *cabildo pleno*—an assembly which in case of emergency might form a kind of constitutional convention. Upon the death of a governor, if there was no deputy governor, the senior *alcalde* was to act as interim royal governor. Solórzano and the Collection of Laws both state this without qualification. But comment is demanded.

Where there was an *audiencia*, that body assumed the interim government in case of vacancy. Moreover, it was customary that the *audiencia* or viceroy or both should provide for vacancies. Nevertheless it could and did happen that a householder, elected as a municipal magistrate for one year, should find himself acting as royal governor of an extensive province or kingdom until the arrival either of the new governor or of the *locum tenens* appointed by the *audiencia*.

The legal constitution of the *cabildos* has been sketched. It remains to touch their history, first during the period of conquest, down to about 1580, then during the more settled period which followed, down to 1810. The story naturally begins with Columbus. In 1493 he was authorised by the Crown to appoint magistrates and constables in any settlement he might make. If it were necessary to appoint town-councillors (*regidores*) and municipal officers, Columbus was to appoint them in the first instance and afterwards in every vacancy to name three persons for the king's choice.[1] Accordingly, on reaching the island of Española for the second time, Columbus founded the city of Isabela, nominating the first councillors and officials. The planting of these tiny but fully organised communities was pushed on in the Antilles. In 1509 the appointment of Diego Colón (or Columbus) as governor was notified by the Crown to the Councils (*Concejos*), justices, regidores, knights, squires and good men of all the Indies—a clear recognition of municipal authority.[2] During the thirteen years' government of Velasquez in Cuba (1511–24) eleven towns were founded; in Santiago, the capital, Hernan Cortés served the office of *alcalde*.

When Cortés, having been placed in command of an expedition by Velasquez, disobeyed repeated letters of recall and sailed westward in defiance of authority, he

[1] A. M. Fabié, *Ensayo histórico de legislación Española en Ultramar*, Madrid, 1896. [2] *Id.*, p. 86.

and his men took the first opportunity of giving colour to their irregular position, by establishing a municipality. Cortés' first letter to the Sovereigns of Castile [1] is ostensibly from the *alcaldes* and *regidores* of the town of Vera Cruz, who had been nominated and sworn in by him, as founder of the town. These municipal functionaries inform their Sovereigns that they summoned Cortés before them, decided that his commission from Velasquez had expired, and then appointed the said Cortés as Chief Justice and Governor until the royal pleasure should be known.

This proceeding strikes one as being a vicious circle and a bold piece of effrontery on the part of Cortés. But it is also an example of the Spanish method of forming councils. Wherever a group of Spaniards settled, they at once became, as a matter of course, a constitutional government, and a handful of men in a collection of huts assumed the dignity and functions of an organised municipality. So the soldier of fortune becomes a citizen, and his *condottiere* a magistrate.

After the capture and destruction of Mèxico, Cortés proceeded at once to rebuild and reorganise the place as a Spanish city. Four years afterwards, Charles V announced his approaching marriage to the council, justices, town-councillors, knights, squires, and good men of Tenustitlan Mexico, and of all the cities, towns, and villages of the mainland called Golden Castile.[2] In 1530 he ordered that, in any congress of the cities of New Spain, Mexico is to have the first place and first vote, like the city of Burgos in Spain, but that no congress is to be held without royal order.[3] No such congress was ever held in New Spain ; but the decree is significant.

The proceedings of Pizarro in Peru follow similar lines. On obtaining a footing in the country, he chose a site for a new city, the city of San Miguel. Lands and Indians

[1] Juana and Carlos.

[2] Fabié, p. 191.

[3] *Leyes*, Lib. iv. tit. 8, ley 2. A similar pre-eminence among the cities of Peru was granted to Cuzco. *Ibid.* ley 4.

were assigned to the settlers; *regidores*, *alcaldes*, and officials were appointed, and stone houses were speedily built. After the march into the interior and the captivity and death of the Inca sovereign Atahualpa, a Spanish city was established in the Andine valley of Jauja, which was for a time a kind of capital. When Cuzco, the Inca capital, was occupied, a Spanish municipality of the regular type was there established. But the most characteristic proceeding was the foundation of a Spanish capital. The minute-book of the *cabildo* of Lima from January 1535 to November 1539 has been published.[1] It contains a documentary account of the foundation of the place and of every meeting of the *cabildo* for nearly five years. Pizarro represented to the *cabildo* of Jauja that a site nearer the sea was preferable. The *cabildo* agreed, and summoned all the householders to consultation. This meeting decided that it was better to migrate in a body and make one city instead of detaching some of their number to found a second city. Commissioners were appointed to choose a site. Then twenty-eight Spaniards from Jauja and thirty from a neighbouring settlement founded, under Pizarro's leadership, the city of Lima. The *regidores* and municipal officers were first appointed by Pizarro and then assumed the authority of a regular government. At the beginning of each of the four years 1536–9, the *cabildo*, with long deliberation, elected two *alcaldes*, and also co-opted two *regidores* to serve for the year, the other *regidores* being appointed by Pizarro or by the Crown. Here is a summary of some of the proceedings of the *cabildo* during these first years:— Assignment of lands; regulations to protect Indians from negroes and from whites; the fixing of charges for tailor, shoemaker, blacksmith, armourer; receipt of letters from the Crown; appointment of an attorney at the Spanish Court; order that every householder shall plant trees; appointment of public trustees, also of a commissioner to

[1] *Libro primero de Cabildos de Lima*, ed. by E. J. Torres Saldamando. 3 vols. Paris, 1888.

correct robbery committed on Indians by vagabonds; ordinances about mines and about assay of silver; licence to a barber to practise surgery, but in important cases he must bring a companion of experience. Hernando Pizarro is forbidden to go to Spain, since his presence is necessary for the pacification of these kingdoms; the lieutenant-governor is ordered to quell an Indian rising; all house-holders possessing Indians are ordered to go to the war; all the inhabitants are to be armed with sword, padded jerkin, morion, and cross-bow; ships are licensed for Panamá, and certain persons are authorised to sail in them; the Bishop of Cuzco is ordered not to exact fees for burying free Indians.

In short, the *cabildo* of the capital acts provisionally as a kind of comprehensive authority for the whole of the newly-acquired kingdom; and this provisional method of government, natural and spontaneous among Spaniards, was sanctioned by royal authority. Pending the establishment of a system of royal government, the crown and the settlers co-operated, through this municipal method, in winning and holding these new lands.

The end of the period of discovery and conquest brought a change. The *cabildos* sank to a subordinate position. Viceroys or captains-general now ruled in the great capitals. In the smaller towns, capitals of provinces or of districts, royal officers were appointed, generally with the title of *corregidor;* and these *corregidores* appointed deputies in the inferior towns within their districts. *Audiencias* or Chanceries were also established, bodies of judges and councillors. At the end of the sixteenth century there were ten *audiencias* in Spanish America, of which five were in South America. Thus an official hierarchy grew up overshadowing the local authority, but never quite superseding it. In 1575 a royal order directed the Peruvian Viceroy that, where there were paid *corregidores*, there should be no *alcaldes*. This royal order was not obeyed except in some small places where multiplicity of magistrates was

inconvenient. In general the election of *alcaldes* continued throughout Spanish America.[1] But Philip II, in the latter part of his reign, introduced the Spanish custom of selling the seats on the town council (*regimientos*) to approved persons. At first the purchasers sat for life, but later they usually had the right of transferring the office to approved persons on such terms that the Crown made some profit out of the transaction. Most of the municipal offices were also made vendible one after another, including those formerly filled through election by the *cabildo*. But the annual election of the two *alcaldes* remained throughout. In certain places some of the *regidores* were still co-opted: but from the beginning of the seventeenth century the *cabildos* consisted mainly of paid permanent officials who had bought or inherited their posts. It remains to consider the activities of these bodies.

It is impossible to summarise or dogmatise, because municipal action was generally inconspicuous, and also because the *cabildos* differed widely in customs and privileges and in local or geographical conditions. So late as 1580, a picturesque contemporary account of the foundation of Buenos Aires brings before us the founder Juan de Garay, exercising all the pristine rights of an *adelantado* among his sixty-four companions.[2]

On the Indian frontiers, in remote and dangerous regions, many towns were compelled throughout their history to take measures for their own defence and for the maintenance of the empire, particularly in the south of Chile and in the savage neighbourhood of the Pampa and Chaco Indians. Moreover, in many parts it took weeks to get a reply from the distant *audiencia*. Thus, in emergencies, the *cabildos* might have their own way for a time.

Accordingly, since the activities of the *cabildos* varied

[1] Solórzano, *Pol. Ind.*, Lib. v. cap. i. 25–26.

[2] Pedro de Angelis, *Col. de obras . . . Rio de la Plata*, B. Aires, 1836–7, vol. iii. The story is repeated by J. de Vedia in *Hist. del Mundo en la edad moderna*, xxiv. 71.

much, it seems best to illustrate these activities by examples. Some important capitals, by special favour, had no *corregidor*. In Guatemala the annually-elected *alcaldes*, by a peculiar privilege, were *corregidores* of the rich and extensive valley of Guatemala,[1] which contained in 1720 seventy-seven Indian villages. In Guatemala, to avoid contention, the *alcaldes* were chosen equally from European Spaniards and Creoles, or Spaniards born in America. But every election effervesced with rivalry between these two parties. One Padilla was a candidate for 1647. The *audiencia* represented to the Captain-General that Padilla, as *alcalde* three years previously, had proved a violent and unsuitable character, and requested that the election should be freely made, but that he should not allow the election of Padilla. The election was held, and Padilla was not chosen.[2] The incident illustrates those conflicts of authority which pervade Spanish-American administration. The *audiencia* and the governor both tend to encroach on the functions of the *cabildo* in other places also.

The mining town of Potosí was notorious for disorder. A royal edict of 1601 directs that certain violent *regidores* shall be deprived of their offices and the purchase-money returned to them. A little later, owing to sanguinary tumults over the election of *alcaldes*, it is ordered that the *alcaldes* shall be chosen by lot.[3] Drawing lots was also once enjoined at Quito early in the seventeenth century, but this expedient was rare and exceptional. The confidential report of Juan and Ulloa, who were in South America from 1735 to 1744, describes the passionate animosity between Europeans and Creoles over the election of *alcaldes*. 'These elections,' they say, 'which should establish the government and maintain the commonwealth

[1] D. Juarros, *Hist. of Guatemala*, transl. by J. Baily, London, 1823, p. 36.

[2] J. Milla and A. Gomez Carrillo, *Hist. de la América Central*, Guatemala, 1879–97.

[3] *Col. de doc. . . . América*, xix. 145. Solórzano, *Pol. Ind.* Lib. v. cap. i. 11.

(*república*) in peace, are in fact nothing but quarrels lasting the whole year.'[1] These contested elections seem to indicate a good deal of civic activity at a time when the Indies are generally supposed to have been slumbering under the heavy blanket of Spanish maladministration.

In the province and city of Caracas municipal history is remarkable. In 1556 the governor died, leaving the interim government to the *alcaldes* of each town in its own jurisdiction. A royal order confirmed this peculiar right, which upon the death of a governor divided the country into little city-republics—another indication of the fact that the city jurisdictions were regarded as covering the whole area of Spanish settlement. In 1675, upon the death of the governor, the *audiencia* of Santo Domingo, whose jurisdiction included Caracas, sent a substitute to Caracas. But the *alcaldes* resisted this authority. The city sent an attorney to Madrid, and the royal authorities decided that, during any vacancy, the *alcaldes* of Caracas should govern the whole province, and that the *audiencia* of Santo Domingo should never name a temporary governor. In 1725 the *cabildo* of Caracas, by order of the viceroy and *audiencia* of Santa Fé, which then held jurisdiction in Caracas, deposed and imprisoned their governor. A kind of little civil war followed. Finally the deposed governor was restored by royal authority, and the members of the *cabildo* were condemned to pay a fine. In 1792 deputies from all the towns of Venezuela met in Caracas to discuss certain fiscal proposals of the governor. At that time the *cabildo* consisted of two *alcaldes*, an attorney, four officials who had bought their posts, and twelve *regidores*, of whom eight bought their posts. The other four were European Spaniards, nominated gratis by the King.[2]

Asunción, capital of Paraguay, was extreme in its local activity. In 1537 Charles V authorised the River Plate

[1] *Noticias secretas de América*, p. 429.

[2] J. Gil Fortoul, *Hist. constitucional de Venezuela*, ch. 4. Depons, *Travels*, ch. 5.

settlers to choose their governor in case of vacancy.[1] This right was freely exercised, and vacancies were created upon occasion. Then, in 1591, the *cabildo* of Asunción, as the representative authority of the settlers, elected a governor. In the seventeenth century hostility to the Jesuits of the neighbouring missions constantly agitated this *turbulenta república*, as its historian Funes calls it. In 1648, upon the death of a governor who favoured the Jesuits, the populace acclaimed as governor the bishop, a bitter enemy of the Jesuits. The bishop ruled for a year, resisted the nominee of the distant *audiencia* of Charcas, and only yielded when troops surrounded his church. Again in 1675 the *cabildo* procured the deposition of their governor and ruled in his place until the *audiencia*, after due inquiry, reinstated him. Fifty years later came even more independent action, leading to civil war. Antequera, a visiting judge sent by the *audiencia* at the request of the *cabildo*, deposed an unpopular governor and took his place. Supported by the *cabildo* and also by a *cabildo abierto* twice assembled, Antequera held the post for three years, defied reiterated letters of recall, and defeated the first force sent to eject him. His fall was followed by a little civil war, in which the elected *alcalde* headed the loyal party and hoisted the royal standard on the municipal building. Finally, in 1735, the governor of Buenos Aires pacified the country by armed force and declared obsolete the royal decree of 1537, which had authorised the settlers to fill vacancies.

Asunción was exceptional. An example from Buenos Aires illustrates the local diversities in municipal history. In 1714 the governor died. The *cabildo* of Buenos Aires claimed the interim government for their senior alcalde. But their claim collapsed amid the clash of arms. The post was disputed by two soldiers, one of whom had been named as military and political chief by the deceased governor. His claim was confirmed by the *audiencia* of Charcas.[2]

[1] Angelis, *Colección*, vol. i.; Funes, *Hist. del Paraguay*.
[2] Funes, ii. 189.

The rule of the Bourbons, at all events during the latter part of the eighteenth century, brought a tightening of royal authority and a disposition to watch and check the municipalities. Some small and decayed places were deprived of their *cabildos*, and there was a reluctance to grant the rank of *villa* or *ciudad*, that is to say municipal rank, to growing places. Care was taken to safeguard the royal interest by appointing a good proportion of European Spaniards as *regidores*. This policy naturally led to some decrease in municipal activity. But the *cabildos* did not sink into lethargy. Among many examples of activity one may be quoted. In 1804 Demetrio O'Higgins, *intendente* or governor of Guamanga, reports that, owing to the contentions of parties, the elections of *alcaldes* lead to ruinous litigation. He adds the details concerning lawsuits in three successive years—1801, 1802, 1803.[1] Spanish America always preserved a strong medieval element. In the larger cities there were many religious confraternities, and the trades were organised into guilds, some of which furnished militia companies. In Lima and in Mexico was established a *consulado*, or chamber of commerce, on the model of those existing in five Spanish cities. The body of merchants annually elected a council and also a committee of three—a Prior and two Consuls. This *consulado* acted as an administrative authority in all matters concerning trade and communication, and also as a tribunal in questions of bankruptcy, freights, contracts and similar matters. These two *consulados* appointed deputies in other places. But in the later eighteenth century separate *consulados* were established in the chief capitals.

May I end by glancing at municipal history in one region, the kingdom of Chile? In 1541 the *conquistador* Valdivia, who was duly commissioned by Pizarro, set up, with the invocation of the Trinity, a stake to mark the *plaza mayor* of the city of Santiago. Placing his hand on

[1] *Noticias secretas de América*, p. 664.

the cross of his sword, he swore as a *caballero hijodalgo* to sustain the city in the name of his Majesty. He then administered the oath of office to the *regidores*, whom he, as founder of the town, nominated.[1] The council so formed then appointed Valdivia governor of Chile ; and he justified the appointment by founding six other cities or towns. In the early days the *cabildo* of Santiago exercised the kind of independent authority of which Lima furnished an example. But the vicissitudes of municipal history appear best in the southern cities—Concepción, on the borders of the Araucanian Indians, and Valdivia, a European outpost set far to the south in the country of the barbarians. Concepción was twice destroyed by the Indians and twice restored. Valdivia was destroyed in 1603 and restored in 1645. The city of Osorno, further south again, was founded in 1558, but destroyed by the Indians forty years later. Two centuries later it was restored by Maurice O'Higgins, captain-general of Chile, who made a treaty with the Araucanians and set up among them this Spanish outpost, which gave him his title, Marquis of Osorno. In 1655 the Spaniards in Concepción deposed Acuña, the captain-general, who had proved incompetent in the Araucanian War. The *cabildo* and chief householders elected another. Acuña was at first restored, but then removed again by the viceroy. Years after, the viceroy was censured by the Council of the Indies for removing him. The legal process concerning the affair covered 14,000 sheets. The case illustrates the necessity of local action and the consequent continuance of civic activity on the outskirts of empire.

In Santiago the foundation of the Mint in 1747 and of the University in 1750 was chiefly due to the *cabildo*. But in 1758 the captain-general of Chile reported that the *cabildo* of the capital was incomplete in number. He took measures to restore it. However, fifteen years later

[1] C. Gay, *Documentos . . . de Chile*. Paris, 1846, i. 212. The matter which follows is mostly taken from Barros Arana, *Hist. de Chile*.

it was officially reported that the *cabildo* was slack about its business, neglecting the provision of food and water, and that the members did not attend the sessions. Yet Barros Arana, the historian of Chile, declares that the *cabildos*, although reduced in power and importance in the eighteenth century, preserved much public spirit and utility. And he quotes another republican author, Andrés Bello: 'The *cabildos* never abdicated the position of representatives of the people, and often defended the interests of their communities.'

This paper closes where the greatest chapter in the history of the *cabildos* begins. In 1806 Beresford occupied Buenos Aires. The viceroy fled. The *cabildo* organised resistance and reconquest, and then summoned a Junta, which deposed the viceroy and appointed in his place another, who was recognised by the king. This was the prelude to a new phase of history. For when authority fell into confusion through Napoleon's aggression and the captivity of the Spanish royal family, and when nobody knew whom to obey, then the *cabildos* everywhere were the one constituted, regular, and well-understood authority which provided organisation and a means of local action and of self-government. In most places the *cabildo* acted as the nucleus of a Junta or Congress, through calling others into council in the manner already described. Such municipal action was everywhere the first step, and also the most orderly and dignified step, in the formation of independent republican government. Thus in the *cabildos* the Spaniards of America possessed a means of taking measures for themselves and initiating the control of their own destinies.

A SUGGESTION FOR THE PUBLICATION OF THE CORRESPONDENCE OF QUEEN ELIZABETH WITH THE RUSSIAN CZARS

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THE correspondence which forms the subject of this communication begins on April 25, 1561, with a letter from the Queen to Czar Ivan the Terrible, and ends in April 1603 with a letter from Czar Boris to Elizabeth. The frequent intercourse between England and Russia during this period has produced in forty-two years probably more than a hundred letters. Of these ninety-eight have been identified; others are mentioned which cannot be found, probably destroyed by accident in the course of the last three centuries. In any case the considerable amount of letters which we possess is deserving of notice. Some of them are simply short safe-conducts given by the Queen to Englishmen going to Russia, but these are few, the great mass of the correspondence consisting of long letters exchanged by the monarchs on important commercial and diplomatic subjects.

Ninety-eight letters for forty-two years give an average of two and a quarter letters yearly; but it must be remembered that the diplomatic relations between England and Russia were not regularly maintained during all these years. In fact, three long intervals occur: the first from 1561 to 1567, the second from 1575 to 1581, and the third from 1594 to 1597. If we deduct these eighteen years of inaction from the whole number of forty-two years, we shall find that the ninety-eight letters we possess have been written during thirty-three years, and that raises the yearly average to three.

This valuable and curious correspondence has not yet attained the distinction of a systematic and critical edition. Moreover, it has to be looked for in several different texts. In England some letters were printed by Hakluyt in his 'Principal Navigations,' and by Bond in his editions of Fletcher's and Horsey's works. Since that time the study of the subject has not been undertaken by any English historian. In Russia the first to make use of some of these documents was Karamzine, the father of Russian historiography; he even published some fragments of them in his 'Russian History,' which appeared between 1816 and 1829. His conclusions on the Anglo-Russian relations are interesting. He says:

'Our intercourse with Britain, based on mutual advantages without any dangerous competition in policy, took a special character of sincerity and friendship, gave a new proof of the czar's wisdom and a new aspect of glory to his reign.'

Some twenty years later Hamel,[1] taking up the study of the relations of England and Russia, published a few specimens of the correspondence between the two courts in the sixteenth century. The Manuscripts Department of the Academy of Sciences of Petrograd has preserved all his papers, and volume 33 of this collection is made up of copies taken from the English records. These papers contain some new letters of Elizabeth, but, unhappily, the copies are very defective. A number of royal letters were published in 1875 by Tolstoy[2] with other documents concerning the Anglo-Russian relations, but his volume, though beyond doubt, after that of Hakluyt, the most valuable for the study of this correspondence, stops with the year 1593. Though his work contains both the Russian and English texts of the documents it seems to have attracted little attention in England.

[1] *England and Russia.*

[2] *The First Forty Years of Intercourse between England and Russia.* St. Petersburg.

The thirty-eighth volume of the Collection of the Imperial Historical Society in Petrograd contains another series of documents concerning the Anglo-Russian relations; these have been printed from the collection of 'English Books' preserved in Moscow amongst the records of the Ministry for Foreign Affairs. These books were made up from copies and ancient translations of English documents. We find there seventeen Russian translations of Queen Elizabeth's letters which have never been published before. Most of these seem to have survived only in that form, and the English originals have not hitherto been discovered.

These are the principal publications in which we must look for the correspondence of Queen Elizabeth with Russia; but, of course, the English Calendars of State Papers and the volumes of the Historical Manuscript Commission have to be consulted, as also some great Russian collections.

The undoubted fact that Russia has hitherto done more for the study and publication of documents concerning the Anglo-Russian diplomatic relations than has been done in England is easily explained by the relative importance of this intercourse in the cause of the country. For England Russia had only a commercial interest, Muscovy becoming from 1553 a new foreign market, one of many now opened to the activity of English merchants. For Russia England was the first country which established a regular intercourse with the land of the Czars. The English were the first to live and trade in Russia, and their doctors, apothecaries, and engineers have played the part of the first civilisers of the country.

If many letters have been printed, many others have remained unedited amongst the Records. Some of them are originals and some copies. Eighteen originals of Queen Elizabeth's letters are to be found in the already mentioned records of Moscow, in the collection of 'English Letters.' Beautiful originals of the Czars' letters are preserved in the Public Record Office ('S.P. Foreign Royal Letters,

Russia'), also in the Bodleian ('Ashmolean' and 'Tanner'). The Manuscripts Department of British Museum possesses many letters, most of them copies, especially in the Cotton ('Nero') and Lansdowne collections; two letters will be found at Cambridge. The Manuscript Department of the Academy of Sciences of Petrograd must not be forgotten, because of the invaluable copies by Hamel, the originals of some of which seem to have since disappeared.

The letters of Queen Elizabeth were generally written in Latin, though after 1570 some are in English. The Latin letters were immediately translated into English, and thus many of them are to be found in the Records in a Latin original with English copies. The letters of the Czars were written in Russian, but there exist also two specimens in German, one dated April 10, 1567, and the other April 1, 1569; all the later letters are in Russian. The original manuscripts are very beautiful; they were written on parchment, the first lines in gold, in a large clear handwriting. The seals, with the double-headed eagle, are often preserved unbroken. The letter begins with a short preamble, always the same, with the great title of the Czar, enumerating separately all the provinces of his vast empire. This was called in Russia 'the long title.' As to the English queen she used always the title, 'Elizabeth, by the grace of God Queene of England, France and Ireland, Defender of the Faith &c.' and her letters had no preamble. At the end of them we find the subscription of the Queen, which was not the custom of the Russian Chancery. When she addresses the Czar, her letters are richly ornamented with gold, but when she addresses his lieutenant, Godounov, they are simpler in appearance and smaller in size.

The letters, whether originals or copies, are generally dated: those of the Czars by the year of the Creation, those of the Queen by the year of the Incarnation.

The style of the two correspondents is very different. The letters of the Czars are in that respect mediaeval

documents. If the preamble and the title are always long and uniform, the rest of the letter lacks any definite order; its style is heavy and loaded with repetitions, and even a Russian cannot always easily come to a clear understanding of the document. The Czar's letter is generally long, for it begins by summarising the preceding letter of the Queen, to which it gives an answer. This custom has its value, because it gives sometimes a *résumé* of a letter that has disappeared. But if we overlook the defects of the style, we must recognise that we have in Czar Ivan a most fascinating writer; his letters are full of energy and vehemence, they show a force and vigour characteristic of the man—the intelligent and proud despot.

Compared with the writings of her Russian correspondent the letters of Queen Elizabeth are quite modern; short and simple, expressing clearly the ideas of their author, they are generally easy and agreeable to read. To the vehement force and rudeness of her correspondent Elizabeth opposes a great moderation and diplomatic ability, with a spice of irony; under the cloak of very friendly and sometimes modest phraseology we note a careful choice of words, and a general tendency to promise much and carry out as little as possible.

The three successive reigns of the Russian czars, Ivan the Terrible, Feodor, and Boris, naturally divide this correspondence into three periods.

Of ninety-eight letters sixty-five are written by Elizabeth, and only thirty-three by her three correspondents. For the first period we have twenty-eight letters of the Queen and only eleven of the Czar; in the second reign the proportion is twenty-five to thirteen, and in the third twelve to eight. It will thus be seen that though the English queen wrote many more letters than her Russian correspondents, her correspondence shows a falling off in the latter part of her reign. Of these three epochs the first presents the greatest interest for two reasons; because it coincides with the interesting period of the origins of

the Anglo-Russian relations and treats not only important commercial subjects, but debates also questions of great diplomatic importance. Again, it reflects the mighty personality of Ivan the Terrible, who remains an unsolved enigma for the conscientious historian.

We have no intention to give here a detailed account of the various questions debated in these letters. A short study on this question has been already printed by the present writer in the *American Historical Review*[1] and therefore it is only necessary to give here a brief review of the principal subjects of this correspondence.

For the first period they were :

1. The possibility of a political alliance between England and Russia ;

2. A plan of Czar Ivan to seek shelter in England in case of revolution and mutiny in his country ;

3. A matrimonial project concerning the marriage of the Czar with Lady Mary Hastings.

While the views of Elizabeth were exclusively commercial, Ivan had political plans ; the Queen hoped to obtain commercial advantages for the English company trading in Russia, the Czar wished to make her conclude a political alliance against Poland and Sweden ; this was impossible for England, the principal enemies of the Czar being her friends. But the different phases of this project are interesting to study. The Anglo-Russian treaty, published in Rymer under *anno* 1623 under the title ' De Intercursu Mercandisarum cum imperatore Russiae,'[2] which had in view a commercial and political alliance between the two countries, only summarised in the seventeenth century the ideas exchanged by Czar Ivan and Queen Elizabeth on this subject in the sixteenth.

The letters reflect the different state of mind of the two correspondents. The political plans of Ivan can be best studied in his private or secret letters ; the most important

[1] April 1914, pp. 525–542.

[2] *Foedera*, vii. p. iv. 71–73.

is dated May 18, 1570; a confusion has sometimes occurred because two different letters were generally despatched to England the same day under the same date, one of them being secret and the other official. If Ivan seriously counted on the possibility of passing with all his family to England, Elizabeth undoubtedly could not look forward with pleasure to such an eventuality, which might become the source of new political complications. Did not the Queen of Scotland give trouble enough to her mind? And yet she had to be very cautious in her answers to the Russian court, and even to overlook certain coarse and harsh remarks of the terrible Muscovite. When he vehemently wrote to her, protesting that she was not ruler over her land, having left her power 'to merchants and bowers' and 'flowing in her maydenlie estate like a maide,'[1] she answered haughtily but politely, explaining that no merchants governed her estate, and that no sovereign had more obedient subjects than she.[2] Still her later letters show clearly that she felt herself more and more entangled in the political plans of the Czar. By a letter of June 8, 1583, she expressed her great joy at the news of a projected journey of the Czar to England: 'Really this has been so agreeable to us to learn, that nothing could better fulfil our wishes!' Her countries will be as freely opened to the Russian monarch as to her own self. 'May your Honnor come freely and friendly at any time to see his affectionate and friendly sister in her English kingdom, and not otherwise as if you entered into the territories of your own mighty Russian empire.' This journey seems to have been projected by the old Czar with the intention to choose by himself an English bride. In the spring of the same year the Queen had already felt it necessary to show to the Russian ambassador the proposed bride, Lady Mary Hastings. The Russian monarch had found an easy way to force Elizabeth more and more into friendship. If the Queen was out of his reach, her merchants were in Russia; in

[1] October 24, 1570. [2] *Anno* 1571.

her letters she had made herself the echo of their demands and complaints, and when Ivan threatened the Muscovy Company by fines and withdrawal of privileges, the Queen had naturally to yield on many points. Happily for Elizabeth, Ivan died in 1583, and with him vanished all his uneasy projects.

The second period of Queen Elizabeth's correspondence is nearly exclusively concerned with commercial questions and controversies; some of these letters become very voluminous and are valuable sources for the history of the Muscovy Company, its activity, and the difficulties found by the English trade in Russia. Many of the privileges are withdrawn from the English merchants; the Persian trade has come to an end. The Muscovy State had already profited by the activity of the English, who had opened to Russia a new commercial route. It was now inclined to protect the trade of other strangers who had profited by the example of the English.

The correspondence of this reign is two-fold. Writing to Czar Feodor, the Queen found it necessary to enter two years later into correspondence with the Regent Godounov, who was at that time the real ruler of Russia. Being in friendly relations with Sir Jerom Horsey, he seems to have taken his side in his controversies with the Muscovy Company. Godounov was an enemy of its exclusive privileges in Russia, and in his letters to the Queen and Lord Burghley tried hard to persuade them that the English trade in Muscovy should be kept free. One of the principal interlopers, Marsh, had been taken under his special protection.

The third period begins in 1598 with the death of Feodor, when Godounov, who was the brother of his wife, was chosen to take the throne under the name of Czar Boris. If Elizabeth had corresponded with him as a regent, she, of course, continued this correspondence when he became Czar. This period has been very little studied, and many letters of the Queen and Czar Boris have remained unpublished until now. We find originals of Elizabeth's letters in the records

of Moscow: for example, a letter of May 15, 1601; unpublished letters of Czar Boris are to be found in the records of England: for example, in Oxford, the original of a letter dated June 1602, and, in London at the Public Record Office and British Museum, a letter dated April 1603.

The regulation of the commercial relations had proved successful, and the two correspondents now came back to politics. The possibility of matrimonial alliances for the two children of the Czar, a son and a daughter, with English princes was considered. The English merchants, in this case as in many others, tried to influence the Queen; they feared that a marriage between the children of Boris and some Danish or Polish princes would give advantage to merchants of these nations and ruin the English trade in Russia, so they asked the Queen to show to the new Czar her readiness to meet his wishes. If England in reality was not eager to bind herself to Russia it was not sound diplomacy to reveal this feeling to the Russian monarch, who could be easily contented by the display of a pretended desire for friendship.

The relations of England with Turkey were also eagerly debated, the Czar expressing his indignation at the news that a Christian queen could ally herself with the Mussulmans, as he had been informed by the Emperor and Pope, and Elizabeth energetically rejecting this accusation.

The matrimonial projects of Boris had no consequences; Elizabeth died shortly after, and the Czar followed her three years later, leaving his young children unmarried and unprotected.

It will be seen, therefore, that the correspondence of Queen Elizabeth with the Russian czars contains matter of great interest to the historian.

(1) It gives ample material for a clearer understanding of the activity and vicissitudes of the Muscovy Company. A sole example of this fact may be given here. It has seemed difficult until now in England to understand sufficiently the reason of the unstable position of this society in Russia.

Professor Scott has admitted that the documents concerning its economy and finance do not explain many vicissitudes of the English merchants in Russia ; they leave unanswered the question, why the company began so soon to lose the support hitherto given to it by the Czar. All the Queen's privileges were suspended in 1570, and Professor Scott thinks 'that it is impossible to determine whether this was due to the machinations of rival merchants or whether it is to be attributed to malpractices of the company's agents in Russia.' The letter of Czar Ivan dated October 28, 1570, shows clearly that the reason of this set-back was the failure of the Czar's plan of political alliance with England.

The economic organisation and finance of the company have been carefully studied in England, but the conditions of its existence in Russia and its relations with the Muscovite government have attracted little attention. A systematic and complete edition of the correspondence would give an impulse to this study, and would also give a vivid picture of the history of the first English Joint-Stock Company.

(2) This correspondence gives ample evidence of the fact that the first relations of England with Russia were not only commercial, but also political. This has not been hitherto sufficiently appreciated, and a study of the diplomatic relations between both countries has not yet been undertaken. Now that England and Russia have been impelled to unite their forces on the field of battle, it is, I think, a most appropriate moment to direct the attention of the historians of both countries to the study of the early political relations of England with Russia, and to the project of a political league between the two countries elaborated by a Russian czar more than 300 years ago. The letters of the English queen and Russian monarch form invaluable materials for such a study.

If an edition of these letters should be undertaken, it ought certainly to include all the existing letters between the English queen and the Russian czars. The publication of the letters of Elizabeth alone is not advisable, for, however

great the individual interest of these letters, it is only when it is considered as a whole that the correspondence can be of real value to the historian in drawing a picture of the commercial and diplomatic relations of both countries. Most of the Queen's letters are written in Latin, but some have also been preserved in contemporary English translations. Whether in Latin or English, they can easily be understood by historians, but if the publication of these letters were intended for the general public, the English translations might be preferred. The letters of the Queen which have come to us only in Russian translations will, of course, have to be retranslated into English, a somewhat difficult task.

The Russian letters of the Czars have also in some cases been preserved in English translations, which would be useful for the suggested edition. Six of the Czars' letters are even known only in their English translations, the Russian originals having been lost. Some of the Russian letters have been already translated by Tolstoy ; the rest would have to be translated anew. It would be, of course, better if they could be given in English and Russian, the original being always of special value to the historian. Though many letters have been already published before, the preparation of this edition must take some time. As we have already seen, the letters are scattered in many collections, and the same letters are often presented under different readings, publishing the different copies of the records.

The documents of Hakluyt are often wrongly dated, as the beginning of the year at March 25 has not been taken into consideration. The Russians counted the years from the Creation, which was supposed to have taken place 5508 years before the Incarnation ; but another complication is the beginning of the old Russian year at the date of September 1, and the use of Slavonic letters instead of ciphers. Some of the translations of the Czars' letters in the ' Royal Letters ' of the Public Record Office are wrongly dated on the marge ; so a letter of October 24, 1570, has

been dated by 1591. The classification of the English originals of Queen Elizabeth's letters preserved in Moscow in the series of 'English Letters' is also not quite exact; for example No. 18 was written before No. 17.

The several Russian editors have often proceeded uncritically; the Imperial Historical Society of Petrograd has published letters of the Czars not from their originals, but from their copies in the collection of 'English Books' in Moscow. The best help to the editor will be the book of Tolstoy, but he has also sometimes published copies from Hakluyt and Bond without searching for the existing original.

In any case the difficulties of this work will be largely compensated by the interest presented by such a publication which would bring to the knowledge of the historian nearly a hundred documents for the most part unknown and of great value, including at least sixty-five valuable letters of the great Queen of England. It may be admitted that some of these letters were not composed by the Queen herself; but it would be impracticable to distinguish between the action of the Queen and that of the ministers who directed her policy. My own general impression from a study of these English letters is, that they undoubtedly reflect the personality of the Queen, and that they enhance our appreciation of her diplomatic ability and lofty spirit. If a complete history of the intercourse between England and Russia were to be undertaken (as we all hope may some day be the case), an edition of the correspondence of Queen Elizabeth with the Russian Czars must necessarily be the basis for the studies of future historians.

THE HISTORICAL SIDE OF THE OLD ENGLISH POEM OF 'WIDSITH'

By ALFRED ANSCOMBE, F.R.Hist.S.

Read June 17, 1915

I.—The Editions of the Poem

Nearly ninety years have passed away since J. J. Conybeare prepared the first edition of the Old English poem of 'Widsith,' or 'The Traveller's Song,' for inclusion among his 'Illustrations of Anglo-Saxon Poetry,' a work published in 1826. 'Widsith' is the oldest Germanic poem we have and its imprint excited immediate attention. The student of legend was attracted to it by the close connexion it shows with Germanic saga, and the historian timidly acknowledged the appeal it made to him to honour it as a genuine source of information. The characteristics of the poem have combined to place it in the forefront of that great mass of dubious documents which are found written in sundry western languages and which purport to deal with the story of the legendary heroes of Germanic race from the time of Constantius Chlorus to the middle of the sixth century.

The attitude of scholars towards the poem has been changeful and diverse. On the part of the historian and the erudite student of our national origins there is a strongly marked and recurrent tendency to believe that this unique poem will some day be made to justify its survival. On the part of the student of Germanic saga the denial that the poem can ever be raised to the level of an historical source has been made clearly and emphatically. Students of this class have devoted themselves to the more or less

fanciful re-adjustment of the text of the poem, and to the modal elucidation of the historical, ethnological, linguistic and geographical problems which the study of it evokes or reveals. For this reason they claim to be justified in expressing the opinion quoted. But, on the one hand, the acceptance of this opinion would reserve the poem of 'Widsith' for the particular theories of the legendists, and would shatter the hopes of the historian; and on the other, self-justification is not evidence, and it behoves us to distinguish narrowly between evidence and constructive criticism. The critical student of legend is concerned with the correct view of what is really a particular form of literary effort. He moves towards his object and endeavours to attain it by means and processes which are distinct from the operations of historical judgment, and it is incumbent upon him to disregard any extraneous facts which might prove to be destructive of the form of the legend he is concerned with. Consequently, as the phase of effort which exercises his critical powers is not necessarily the truth, either in intention or in presentation, it follows that the misapplication of the method of the legendist to the elucidation of a genuine source of information can result only in confusion and error.

The recognition of these facts by historical students must render them uneasy and cause them to inquire whether the text of 'Widsith' has been edited with due regard to their fundamental requirements.

No fewer than twenty-two editions of 'Widsith' have been printed since 1825, and hundreds of quotations of selected passages have furnished texts for the countless disquisitions which Teutonic industry has given to the world since then. The latest edition of all is that prepared by Mr. R. W. Chambers, Librarian of the University of London, for his monograph 'Widsith, a Study in Old English Heroic Legend,' published in 1912. That is a monumental work. Noteworthy scholarship, widely comparative criticism and very diligent industry keep

step within it from page to page. New light has been brought to bear upon obscure details; many critical errors have been exposed, and not a few theoretical proofs have been amplified and extended. Nevertheless, Mr. Chambers has treated the matter as a student of legend—and I for one feel that this method is apt to present princes and peoples in distorted attitudes and in dislocated and discrepant environment.

Therefore even Mr. Chambers's edition of 'Widsith' may not satisfy all the requirements of the student of historical sources who is seeking to come to a decision about the value of the document.

If it were asked what the student has a right to demand in an edition of a document such as 'Widsith' is thought to be, the following desiderata might be enumerated.

I. A photographic facsimile of the six pages of the tenth-century Codex Exoniensis on which the poem appears. This has never yet been provided.[1]

II. Further study, not only of the palæography of the Codex Exoniensis in particular, but also of ninth- and tenth-century Anglo-Saxon script in general.

III. A stichometrical examination of the text. This would be made with the object of determining the method of its construction and tradition. Stichometry has been ignored by all investigators.

[1] In the British Museum Library, among the *Additional MSS.* (No. 9067), there is a beautifully written facsimile of the Exeter Book to which Sir Frederick Madden set his signature under date 'February 24, 1832.' The line-endings at the foot of the several pages of this MS. run thus ('⊥' indicates a half-line of verse) :—

Folio.	Lines of MS.
84 *verso*—geþeon wile|	10
85 *recto*—lengest|sibbe	21
verso—hringa gedales|	21
86 *recto*—hrodene cwen ⊥	21
verso—symle onfond ⊥	21
87 *recto*—fæstne dom|	8

In this facsimile the foliation and line-endings of the Exeter Book are preserved; cp. Mr. Chambers's marginal notes, *Widsith*, 1912, pp. 190, 205, 212, 218, 223.

IV. Practical recognition of the fact that this poem, like so many other Old English pieces, was preserved for an undetermined period written probably in the Northumbrian dialect.[1] It was transcribed into West Saxon; but we cannot feel sure, even where common words are concerned, that the West Saxon scribes transliterated every one of the Northumbrian forms correctly, and we know that they failed to do so in a number of cases of proper names. The historical student is much more concerned with proper names than the grammarian is, and for that reason he requires three texts: 1, the actual text as it appears in the manuscript; 2 and 3, West Saxon and Northumbrian redactions severally and scrupulously made true to dialect. This has not yet been attempted.

V. Geographical data should be made to accord with grammatical requirements. Thus the localization of the kingdom of Eormanric on the east of Old Anglia instead of the west is a mistake and should not be persisted in.

VI. The most valuable of all synchronistic data in unhistorical times are genealogical data. Those masters of legendary lore who admonish us that they cannot countenance the attempts made by certain English scholars to extract chronological and historical material from the poem should be invited to remember this.[2] The Old Norse, Danish, Saxon and High Dutch legends from which 'Widsith' ought to attract elucidation, teem with references to family matters and with terse statements of blood relationship. But no editors have given us adequate genealogical tables from these sources.

To sum up: from the point of view of the student of

[1] The MSS. containing the poetical Old English texts belong chiefly to the tenth and eleventh centuries. They are all copies made by Southern scribes and the texts represent no dialect in a pure form. Earlier and later forms of the same dialect alternate with each other and Anglian forms have frequently been transferred from the originals; cp. *An Old English Grammar*, by Sievers-Cook, 1887, p. 245.

[2] Cp. *Widsith*, 1912, p. 5, and contrast *The Origin of the English Nation*, by H. M. Chadwick, 1907, p. 135.

historical documents the ideal edition of 'Widsith' should be furnished with facsimiles of the manuscript; with a close examination of the related facts of insular palæography; with stichometrical examination of the text; with greater attention to dialect in the case of proper names; with a due appreciation of an important geographical datum, and with genealogical tables of the princes named. Until these requirements are supplied the historical student will continue to be perplexed by the doubts and obscurities through which the formation of a correct and worthy judgment of the poem is impeded.

II.—The Text of the Poem

The text of 'Widsith' falls into seven sections, four of which are short and three long. The longer ones are severally characterised by the frequent repetition of a set phrase—namely, *(He) weold*, *Ic wæs mid* and *Ic sohte*. The shorter sections are more diversified in form and include three strophes severally beginning with *swa*. First of all, we get an introductory strophe of 9 lines. Then comes a prelude of 4 lines followed by the *He-weold* section of 31 lines. Then come 5 lines about Hrothwulf and Hrothgar, followed by a *swa*-strophe of 7 lines. Next we get the *Ic-wæs-mid* section of 54 lines and after that comes the *Ic-sohte* section of 22 lines. Last of all, we find two more *swa*-strophes, of 4 and 9 lines respectively.

The two final strophes of 4 and 9 lines exactly balance the two opening ones of 9 and 4 lines. This twofold stichometrical concurrence is accompanied by another which has not been detected by commentators: viz. the first name of the *He-weold* section and the last name of the *Ic-sohte* section appear respectively on the first line of the first full page of the manuscript, and on the last line of the last full page. These concurrences are undoubtedly due to intentional arrangement. But to whom is this arrangement to be attributed?

We may confidently assert that the balancing of initial and final strophes, and the arrangement of sectional head- and end-lines were not contrived by the scribe of the Codex Exoniensis, whom we will call Exon. Exon's work reveals no editorial characteristic. He treated words carelessly; he ran monosyllables together; he cut up lengthy words unnecessarily in the course of one and the same line, and he divided words ignorantly between two lines. For these reasons the stichometrical concurrences we have discussed should be attributed to the scribe whose work Exon copied so perfunctorily and whom we will call Δ.

It is to Δ that two displacements and three interpolations must be attributed. Throughout the *He-weold* section we get the name of a ruler coupled with that of his subjects, time after time. But when we come to l. 45 we find two great kings named without reference being made to their subjects, and the breach of continuity is obvious and noteworthy. The kings in question are Hrothwulf and Hrothgar, and in 'Beowulf' at line 463, we are told that they ruled the South-Danes. The latter are mentioned by Widsith in the second line of the *Ic-wæs-mid* section and he tells us he stayed among them. But he does not name their kings at that place. Their absence from the *Ic-wæs-mid* section is not necessarily an omission; but the failure to name the subjects in the earlier passage really would be an omission if the lines were not so clearly an incongruous addition to the *He-weold* section. The misplacing of these five lines points to a presumptuous and uncritical tampering with the traditional text. These lines are abnormal where we actually find them. They neither reflect the characteristics of the section to which they are appended, nor do they give occasion for the *swa*-strophe which follows them. For these reasons, and in compliance with the requirements of uniformity and continuity, we must restore the lines about Heorot and the kings of the South Danes to their true position after the half-line 'Ic wæs . . . mid Suþdenum.'

The *swa*-strophe of 7 lines which now comes between the first two lengthy sections of the poem—the *He-weold* and the *Ic-wæs-mid* sections—and which is quite irrelevant, is obviously misplaced and we need not hesitate to restore it to its true position between the two similar *swa*-strophes at the end of the poem.

This restoration to place destroys the artificial balance of initial and final strophes, and also the head-and-end concurrences of the text and manuscript. It also corrects the error of construction that Δ introduced from an obvious motive—namely, the wish to attain factitious symmetry in the presentation of the poem. The traditional text, we may feel quite sure, ended harmoniously with three *swa*-strophes of 4, 7 and 9 lines respectively.

We must now turn to the interpolations. These are three in number and they are all Biblical ones. *a*. The first occurs in l. 15 where we get the name of Andreas tacked on to *Alex-*. What Δ had before him was *buton Alexandre*. The manuscript he was copying was imperfect in several places at the commencement, and 'buton' was not visible, so he substituted *ond* and turned the oblique case 'Alexandre' into a spurious nominative by adding *-as*. *b*. Secondly, two lines of verse comprising 71 letters were interpolated at l. 81 (= l. 74 of the revised text). They run thus :

'Mid Israhelum ic wæs *ond* mid Exsyringum
Mid Ebreum *ond* mid Indeum *ond* mid Egyptum.'

The next line affords the reason why this particular interpolation took its stand where we find it. It is :

'Mid Moidum ic wæs *ond* mid Persum.'

When Δ reached this line he could not read the first folk-name, which was really *Mornum*, and guessed that the second folk-name meant the Persians. This constrained him to read *mornum* as '*moidum*' by which he supposed the Medes were meant. Before copying this line about the Medes and Persians, as he misread it, Δ indulged his

tendency to insert scriptural names. *c.* The third interpolation consists of ten letters—namely, '⁊ Idumingum.' This means 'and with the Edomites.'[1] The words were suggested to Δ by the fact that at first he read the words he reproduces by 'ond mid Istum,' as *ond mid Idum*, thus confusing *st* and *d*, a not uncommon scribal mistake.[2] He looked again and wrote 'Istum'; but his first impression remained and he then added '⁊ Idumingum,' without regard to metre. We must throw out these five half-lines, but we must also inquire why they were interpolated.

When Δ commenced the first line of the first full page of his copy with the name of the first ruler mentioned in the first full section of the poem, and proposed to himself that the last line of the last full page should end with the last proper name in the last full section, he set himself a task which necessitated a great deal of calligraphical accuracy in making the copy and running on evenly to the end he had in view. Now his first full page, if we may assume rightly that he ended with the end of a line, and that that was 'heoldon lengest,' contained 858 letters. If his ruling, like that of the Codex Exoniensis, was 21 lines to the page, this means an average of 40·8 letters to the line. The next three pages down to the last line of the *Ic-sohte* section consequently called for 2574 letters. But the text Δ was copying only yielded 2235 letters down to 'Hama,' if my revision of it is approximately accurate. Consequently, when Δ reached 'heoldon lengest,' at the end of his first full page, we may feel quite sure that he noted the extent to which his copy was running out. That is the primary reason why he took up the second of the three final *swa*-strophes and inserted it before the *Ic-wæs-mid* section.

[1] *Idum-ing-as* = Edom-ites. For the folk-ending compare 'Assyring-' MS. *exs*—[*ecss* with *ec*::*a*], 'Sodom-ing-' and 'Lidwic-ing-,' for Assyrians, Sodom-ites, and Lidwiccas. Latin *ē* became *ī* in O.E. loans; cp. Wright, *O.E. Grammar*, § 125, note, p. 61.

[2] Cp. *Cebustus* [with *c*::*g*] for *Gebudus, *i.e.* Gĕpidus, in the XIth-cent. Chartres MS. of the *Historia Brittonum*, ed. Mommsen, p. 160, l. 5.

The secondary reason, the one which dictated the choice of the particular strophe of 7 lines, was the temptation to balance the two initial strophes of 9 + 4 lines by two terminal ones of 4 + 9. This dislocation gave Δ 186 letters and on his second full page, which no doubt ended with 'hringa gedales,' he wrote 840 letters or 40 to the line. He was still short of copy, so, on the next page he interpolated the two scriptural passages of 71 letters and 10 letters respectively, and wrote 824 letters in all, or 39·2 to the line. On the last of the full pages he wrote 828 letters, without making any additions at all. These average 39·4 letters to the line.

The following synopsis of the stichometrical analysis just now made may prove helpful.

Full page of MS.	No. of letters to—		
	page	line	text
85*a*	858	40·8	858
b	840	40	654 + 186 displaced
86*a*	824	39·2	753 + 71 interpolated
b	828	39·4	828

If we throw out the five half-lines whose spurious origin we have detected we shall find that the poem of 'Widsith' contains 140 lines of genuine text which we will now reproduce in the fairly pure state in which we have reason to believe that Δ received it.

III.—A Revised Text of 'Widsith.'

It is not suggested or intended that the following text be regarded as fulfilling the requirements made in paragraph IV. p. 126, above. The emendations for the most part are palæographical ones. A few corrections which are, properly speaking, dialectal, have also been made.

I.

Widsið maðolade, . . wordhord onleac,
se þe [monna] mæst . . mærþa ofer eorþan
folca geondferde. . . Oft he [on] flette geþah
mynelicne maþþum. . . He from Myrginga
eþele onwoc.[1] . . . He mid Ealhhilde,
fælre freoþuwebban, . . forman siþe
Hræðcyninges[2] . . . ham gesohte,
eastan of Ongle, . . . Eormanrices,
wraþes wærlogan. . . Ongon þa worn sprecan.

II.

Fela ic monna gefrægn . mægþum wealdan.
Sceal þeod[n]a gehwylc . þeawum lifgan,
eorl æfter oþrum . . . eðle rædan,
se þe his þeodenstol . . geþeon wile.
Þara wæs Wala . . hwile selast
ond [buton] Alexandre[3] . ealra ricost
monna cynnes. . . . Ond he mæst geþah
þara þe ic ofer foldan . . gefrægen hæbbe.
Ætla weold Hunum, . . Eormanric Gotum,
Becca Baningum, . . Burgendum Gifica.
Casere weold Creacum . ond Cælic Finnum,
Hagena HolmRygum[4] . . ond Heoden[5] Glommum.
Witta weold Swæfum, . . Wada Hælsingum,
Meaca Myrgingum, . . Mearchealf Hundingum.
Þeodric weold Froncum, . Þyle Rodingum,[6]
Breoca Brondingum, . . Billing Wernum.
Oswine weold Eowum, . Ytum Gefwulf,
ond Fin Folcwalding . . Fresna cynne.
Sigehere lengest . . . SæDenum weold.
Hnæf [weold] Hocingum, . Helm Wulfingum,
Wald Woingum, . . . Wod Þyringum,
Sæferð Sycgum, . . . Sweom Ongenþeow,[7]
Sceafthere Ymbrum, . . Sceafa LongBeardum,
Hun Hætwerum . . . ond Holen Wrosnum.
Hringwald[8] wæs haten . Herefarena cyning.
Offa weold Ongle, . . Alewih Denum.

[1] MS *hine from myrgingum æþele onwocon*; cp. *Notes and Queries*, II. S. ix. 161. [2] MS. *hreþ-* (Anglian *ē* = W.S. *ā*); cp. ll. 45, 110. [3] MS. *ond alexandreas*. [4] MS. *holm rycum*. [5] MS. *henden* [with *n* :: *a*] for *Headen, the Anglian equation of W.S. "Heoden" (ēo). [6] MS. *rondingum* = *rōd-* (with the length-mark). [7] MS. *ongend-*. [8] MS. *weald*.

Se wæs þara monna[1] . . modgast ealra.
Nohwæþre he ofer Offan . eorlscipe fremede ;
ac Offa geslog, . . . ærest monna,
cniht wesende, . . . cynerica mæst.
Nænig efeneald him . . eorlscipe maran
on orette, ... ane sweorde,
merce gemærde . . . WiðMyrginga,[2]
bi Fifeldore. . . . Heoldon forð siþþan
Engle ond Swæfe . . swa hit Offa geslog.

III.

Ic wæs mid Hunum . . ond mid HræðGotum,[3]
mid Sweom ond mid Geatum ond mid SuþDenum.
Hroþwulf ond Hroþgar[4] . heoldon lengest
sibbe ætsomne . . . suhtorfædran,
siþþan hy forwræcon . . Wicinga cynn
ond Ingeldes . . . ord forbigdan,
forheowan æt Heorote . HeaþoBeardna[5] þrym.
Mid Wenlum ic wæs ond mid
Wærnum . . . . ond mid Wicingum.
Mid Gefþum ic wæs ond mid
Winedum . . . . ond mid Gefflegum.
Mid Englum ic wæs ond mid
Swæfum . . . . . ond mid Eacenum.[6]
Mid Seaxum ic wæs ond [mid]
Sycgum . . . . . ond mid SweordWerum.
Mid Hronum ic wæs ond mid
Deacum[7] . . . . ond mid HeaþoReamum.
Mid Þyringum ic wæs . . ond mid Þreowingum[8]
ond mid Burgendum. . . Þær ic beag geþah.
Me þær Guðhere forgeaf . glædlicne maþþum
songes to leane. . . . Næs þæt sæne cyning !
Mid Froncum ic wæs ond mid
Frysum . . . . . ond mid Fratingum.[9]
Mid Rugum ic wæs ond mid
Glommum . . . . ond mid RumWalum.
Swylce ic wæs on Eorule[10] . mid Ælfwine

[1] MS. *manna.* [2] MS. *wið myrgingum*, with *a* misread *ū*. [3] MS. *hreð*, with Anglian *ē* retained. [4] These lines are misplaced in MS. after l. 44. [5] MS. *heaðo.* [6] MS. *ænenum* [with *ne* : : *ce*] indicates older Anglian *ēc* for W.S. *ēac-*. [7] MS. *deanum* ; cp. l. 54. [8] MS. *þrowendum* in which *-end=ing* by contamination with *burgendum*. [9] MS. *frumtingum* (with *a* misread *ū* > *um*). [10] MS. *eatule* [with *t* : : *r*] for Anglian Earule, *Herulia.*

se hæfde moncynnes, . . mine gefræge,
leohteste hond . . . lofes to wyrcenne,
heortan unhneaweste . . hringa gedales,
beorhtra beaga, . . . bearn Eadwines.
Mid Sercingum ic wæs ond mid
Finnum[1] . . . . ond mid Seringum.
Mid Creacum ic wæs . . ond mid Casere
se þe Winburge[2] . . . gewealdahte,
Wiolan e ond Wilna . . ond Walarices.
Mid Scottum ic wæs ond mid
Peohtum . . . . ond mid ScrideFinnum.
Mid LidWicingum ic wæs ond
mid Leonum . . . . ond mid LongBeardum.
Mid Hægnum[3] [ic wæs] ond mid
Hæleþum . . . . ond mid Hundingum.
Mid Mornum[4] ic wæs ond mid
Persum . . . . . ond mid Myrgingum.
Mid Oftingum[5] ic wæs ond
ongean[6] Myrgingum . . ond mid Amoþingum.
Mid EastÞyringum ic wæs ond
mid Eolun. . . . . ond mid Iscum.[7]
Ond ic wæs mid Eormanrice ealle þrage
þæt[8] me Gotena cyning . gode dohte.
Se me beag forgeaf, . . burgwarena fruma,
on þam siex hund wæs . smætes goldes
gescyred sceatta . . . scillingrime.
Þone ic Eadgilse . . on æht sealde,
minum hleodryhtne . . þa ic to ham bicwom,
leofum to leane, . . . þæs þe he me lond forgeaf,
mines fæder eþel, . . frea Myrginga.
Ond me þa Ealhhild . . oþerne forgeaf,
dryhtcwen duguþe, . . dohtor Eadwines.
Hyre lof lengde . . . geond londa fela,
þonne ic bi songe . . secgan sceolde,
hwær ic under swegl[e] . selast wisse
goldhrodene cwen . . giefe bryttian.
Ðonne wit Scilling . . sciran reorde
for uncrum sigedryhtne . song ahofan,
hlude bi hearpan . . hleoþor swinsade,

[1] MS. misplaces *finnum* after *creacum*. [2] MS. *winburga* (gen. pl.).
[3] MS. *hæðnum* [with ð: : *g*]. [4] MS. *moidum* [with *d* :: *n*] partly suggested by *persum*. [5] MS. *mofdingum*. [6] MS. *ongend* [with *n* :: *a* and *d* :: *n*].
[7] MS. *istum*. *Iscum* < **iescum* < **Easci*. [8] MS. þær [with *r* :: *t*].

þonne monige men . . modum wlonce
wordum sprecan . . þa þe wel cuþan,
þæt hi næfre song . . sellan ne hyrdon.

IV.

Đonan ic ealne geondhwearf eþel Gotena.
Sohte ic a [ge]siþa . . þa selestan—
þæt wæs innweorud . . Eormanrices.[1]
Hæþcan[2] sohte ic ond Beadecan ond Herelingas.
Emercan sohte ic ond Fridlan ond Eastgotan,
frodne ond godne . . fæder Unwenes.
Seccan sohte ic ond Beccan, Seafolan ond Þeodric,
Heaþoric ond Sifecan, . . Hliþe ond Incgenþeow.
Eadwine sohte ic ond Elsan, . Æþelmund[3] ond Hungar,
ond þa wloncan gedryht . WiðMyrginga.[4]
Wulfhere sohte ic ond Wyrmhere. Ful oft þær wig ne alæg
þonne Hræða[5] here, . . heardum sweordum,
ymb Wistlanwudu[6] . . wergan sceoldon
ealdne eþelstol . . . Ætlan leodum.
Rædhere sohte ic ond Rondhere, Rumstan ond Gislhere,
Wiþergield ond Freoþeric, . . Wudgan ond Haman.
Ne wæran þæt gesiþa . . þa sæmestan,
þeahþe ic hy anihst . . nemnan sceolde.
Ful oft of þam heape . . hwinende fleag
giellende gar . . . on grome þeode—
wræccan þæt[7] weoldan . wundnan golde,
werum ond wifum, . . Wudga ond Hama.

V.

Swa ic þæt symle onfond . on þære feringe,
þæt se biþ leofast . . londbuendum,
se þe him God sylleð . . gumena rice
to gehealdenne, . . . þenden he her leofað.

Swa ic geondferde . . fela fremdra londa
geond ginne grund. . . Godes ond yfles
þær ic cunnade, . . . cnosle bidæled,
freomægum feor, . . . folgade wide.
Forþon ic mæg singan . ond secgan spell,

[1] MS. *earmanrices* with Anglian breaking.
[2] MS. *heþcan* with Anglian $\bar{e}$ (= W.S. $\bar{a}$).
[3] MS. *Ægelmund*, with *g* to mark the breathing which took the place of þ *c.* 975. [4] MS. *wiþ.* [5] MS. *hræda.* [6] MS. *wistlâwudu.* [7] MS. þær.

mænan fore mengo . . . in meoduhealle
hu me cynegode . . . cystum dohten.

Swa scriþende . . . gesceapum hweorfað
gleomen gumena . . . geond grunda fela,
þearfe secgað, . . . þoncword sprecað,
simle suþ oþþe norð . . sumne gemetað
gydda gleawne, . . . geofum unhneawne,
se þe fore dugupe . . wile dom aræran
eorlscipe æfnan, . . . oþ þæt eal scæceð
leoht ond lif somod. . . Lof se gewyrceð
hafað under heofonum . heahfæstne dom.

IV.—Guðhere

The student of 'Widsith' who turns to ordinary sources for information about the first kings who ruled over the Burgundians in Germania Prima, will find all the facts in confusion and cannot fail to be misled by the egotistical contradiction of ancient authors in which modern investigators indulge. The chief storehouse of material relating to the earliest kings of Burgundy is the work of Albert Jahn, published in 1874. Even in his title,[1] wherein the scope of the work is limited to the kings of the 'first' dynasty, Jahn shows that he had not realised the true nature of the particular problem that we are confronted by. The facts that this industrious author has collected are not co-ordinated and he is sometimes hampered and misled by the multitude of unassimilated details heaped together. The position of both historians and legendists is abnormal and difficult to define, but the attempt must now be made.

There is held to be good reason to believe that the Burgundians were orthodox Christians when Gundihari crossed the Rhine: when we come to know more about them their kings were certainly Arian. The prevalent opinion is that the kings of the Burgundians were of the

[1] *Die Geschichte der Burgundionen und Burgundiens. Bis zum Ende er I. Dynastie*, by Albert Jahn, 1874.

same race as their subjects: according to Gregory of Tours they were of WisiGothic race.[1] Prosper of Aquitaine, who was contemporary with Gundihari, the first king of the Burgundians, tells us that Gundihari was cut off with all his family[2]: according to modern authors this is an exaggeration; according to the Code of Gundobād, the King and Lawgiver of the race, Gundihari, Gundobād's own grandfather, left two sons.[3] Gundobād lets us see that the name of Gundomar's, Gislahari's and Gundihari's father was Gibica, and 'Gifica' of the Burgundians appears in 'Widsith' as one of the kings who were defunct when Widsith wrote: but in all five of the unmutilated vellum manuscripts of the Nibelungen Lied,[4] and in twelve out of the thirteen vellum fragments of the Lied, the father of Günther, i.e. of Gundihari, is named 'Dancrât.' In the other fragment he is called Gibeche. Prosper tells us that his contemporary Gundihari was slain by the *Hunni* soon after certain events of 435 had taken place, and Hydatius Lemicanus, another contemporary chronicler,[5] puts the number of the Burgundians who were slain in 436 at 20,000: Paulus Diaconus,[6] however, assigns A.D. 451, and tells us

[1] 'Fuit igitur Gundeuechus rex Burgundionum ex genere Athanarici regis persecutoris'; 'Gregorii Episcopi Turonensis *Historia Francorum*,' II. 28, edd. W. Arndt et Bruno Krusch, 1884, p. 53.

[2] 'Eodem tempore Gundicharium Burgundionum regem intra Gallias habitantem Aëtius bello obtriuit pacemque ei supplicanti dedit qua non diu potitus est. Siquidem illum Hunni cum populo atque stirpe sua deleuerunt'; 'Prosperi Tironis *Epitoma Chronicon* ad a. CCCCLV.,' ed. Mommsen, *Chronica Minora*, I. 1892, at annus = 435.

[3] 'Si quos apud regiæ memoriæ auctores nostros, id est—Gibicam, Gundomarem, Gislaharium, Gundaharium, patrem quoque nostrum et patruum, liberos liberasve fuisse constituit, in eadem libertate permaneant'; '*Lex Burgundionum*,' ed. Ludovicus de Salis, 1892, I. ii. p. 43.

[4] *V.* 'Wörterbuch zu der Nibelunge Not (Liet),' by August Lübben, 1877, p. ii. *Verzeichnis der Handschriften.*

[5] 'Hydatii Lemici *Continuatio Chronicorum Hieronymianorum* ad a. CCCCLXVIII.' ed. Mommsen, 1894, pp. 22, 23. '[= 435] Burgundiones qui rebellauerant a Romanis duce Aëtio debellantur.' '[= 436] Burgundionum cæsa XX. millia.' Hydatius was bishop from 427 to *c.* 470.

[6] 'Attila itaque primo impetu mox ut Gallias introgressus est, Gundicharium Burgundionum regem sibi occurrentem protriuit'; 'Pauli Diaconi *Historia Miscella*,' XV. iv., ed. Franc. Eyssenhardt, 1869, p. 332.

that, as soon as Attila the king of the *Hunni* entered the Gauls, Gundihari, king of the Burgundians, went forth to meet him and was destroyed. Legendists and historians alike may be found controverting Paul; nevertheless all the Old Icelandic and High Dutch sagas would appear to support his main statement.

This, I believe, is a fair and reasonable recital of the case, and we will now make a detailed examination of these formal antitheta. But first of all we must spare time to recognise the possibility that they may be antithetic only through arrangement, and not essentially—that is to say, there may have been two tribes called *Burgundiones*, two kings named *Gundiharius*, two tribes called *Hunni*, and two kings of the *Hunni* whose names approximate to *Attila* in Latin.

The Burgundians, we may admit, were orthodox when they settled at Worms or Wormez, i.e. Borbetomagus, in A.D. 411. We must also agree that they were led by Gundihari, a king of their own race. They had certainly changed in the former characteristic by 490 and had become Arian. Consequently we need not feel constrained to reject the statement of Gregory of Tours made with respect to the other characteristic. Gregory tells us that Gundiuc, king of the Burgundians, came of the family of Athanaric. His editors, with undue self-sufficiency, assure us that Gregory blundered here. Now certain Frankish kings of the last quarter of the sixth century were descended from Clovis and Clotilda, the daughter of Chilperic, the king of Burgundy who died in 491. Consequently Gregory, Bishop of Tours, was in a position to know them. He actually gave asylum at Tours to one of them in 575, viz. Guntram, king of Burgundy, a grandson of Clotilda. Hence we ought to accept his statement and derive the descent of Chilperic, king of Burgundy and son of Gundiuc, from the family

Cp. 'Attila rex Hunorum omnibus belluis crudelior habens multas barbaras nationes suo subiectas dominio, postquam Gundicarium, Burgundionum regem sibi occurrentem protriuerat ad uniuersas deprimendas Gallias suæ sæuitiæ relaxauit habenas'; *eiusdem 'Liber de Episcopis Mettensibus,'* ed. Pertz, 1829, 'SS.' II. 262.

of that Athanaric, son of Rothestes,[1] who was Judge of the WisiGothic race of the Thervingas, and who died at Constantinople on January 25, 381. This act of submission on our part helps us to explain the Arian position of Gundobād: his alleged collateral ancestor Athanaric was an Arian himself and a persecutor of orthodox Christians. It would seem therefore that Gibica really was not a Burgundian, that he was a Therving, and that it was he who introduced Arianism into Burgundy.

In support of Gregory's assertion I would enumerate five statements in Apollinaris Sidonius, Widsith, Prosper of Aquitaine, and in the seventh-century tract known as the 'De Origine Langobardorum.'

1. In Sidonius's panegyric to the Emperor Majorian, composed in A.D. 458, Sidonius gives a list of barbaric tribes, and in line 476 we get:

'Bellogothus,[2] Rugus, Burgundio, Vesus, Alites.'

The 'Vesus' is the WisiGoth.

2. In the 'Origo Langobardorum' the names of four of the countries passed through by the Longobards on their way to Italy are given as *Maúringa*, *Anthaib*, *Bainaib* and *Burgundaib*.[3]

3. In 'Widsith' we are told in one and the same line that Becca ruled the Bāningas and Gifica the Burgundians. The Old English 'Bān' equates Old Germanic 'Báin' and the Bāningas were a WisiGothic people. Wallia, the brother

[1] This name yielded the patronymic Rōding-. Medial þ was often written *d* in the oldest period of Old English, and the form *Rondingum* of *Widsith*, l. 24, may equal Rōd- (with the length mark). þyle = *þuli. Mr. Chambers objects to it; p. 115. But cp. 'Tholi,' the name of the Sheriff of Norfolk; *Domesday Book*, fo. 264. Rōd-, Rōþing- = 'Roothing' (Essex).

[2] The MSS. have *bellonothus* [with *n*:*g*]; *v.* 'Apollinaris Sidonii *Epistulæ et Carmina*,' ed. Chr. Lvetjohann, 1887, 'M.G.H.,' 'Auct. Antt.' tom. viii. p. 199, l. 472.

[3] *V.* 'Origo Gentis Langobardorum' (*scr. post med. sæcul. VII.*), ed. G. Waitz, in '*SS. Rer. Langobardicarum et Italicarum*,' 1878, 'M.G.H.' p. 2.

of King Becca and the son of King Ban, who is the Wāla of 'Widsith,' was their greatest hero.

4. Again, at line 57, just before Widsith tells us that he visited Guðhere, i.e. Gundihari, king of the Burgundians, we may read that the poet stayed among the 'Throwendas.' This is an inexplicable tribe-name: the word actually means the 'Suffering Ones.' It misrepresents *Thirving-*, by metathesis of *r*, and through contamination with *Burgendum*, in the next line. In Old English *i*, *e*, before *w* became *eow*,[1] hence, metathesis of *r* being granted, Therving- became Threowing- and the Threowingas, who are named next to the Burgundians, were WisiGoths.

5. Prosper's and Hydatius's statements that the royal family of the first dynasty was cut off in A.D. 436, and 20,000 Burgundians slain, provide a reason for the choice of a prince who came of another, though closely-related race. For Pliny, in his 'Historia Naturalis,' classifies the Varini, Carini, Gutones and Burgundiones together, as members of the Vindilic family of Germans (IV. xxix.). The 'Gutones' were the Guþones, or Goths. We may therefore date the accession of Gibica to the Burgundian throne in 436, or soon after, and assign his preferment to the Patricius Aëtius who was Magister Militum of the Gauls at the time, and very powerful. Gibica reigned at Worms, and I would date his death in or about 443. In that year the remnant of the Burgundians who had survived the massacre of 436 was transplanted to Savoy,[2] and a systematic division of the lands of that province between the Roman provincials and the Burgundians was made, no doubt by direction of Aëtius.

Thus far the position is clear and all writers previous

[1] *V.* Dr. Joseph Wright's *Old English Grammar*, 1908, §§ 52, 89, 90.

[2] 'Theodosii XX. Sapaudia Burgundionum reliquiis datur cum indigenis diuidenda'; 'Chronica Gallica ad an. CCCCLII,' ed. Mommsen, *Chronica Minora*, I. p. 661. Cp. Marius Auenticensis who places the division under Joannes et Varanes Coss. (= A.D. 456). He says 'Eo anno Burgundiones partem Galliæ occupauerunt terrasque cum Gallis senatoribus diuiserunt.' This is an anachronism of 13 years.

to the eighth century are in harmony. The contingency that there might be two tribes of Burgundians has not really arisen. But we have drawn very near to it, inasmuch as we have seen that two distinct areas in the Gauls were occupied successively by them. 1. By the Burgundians under Gundihari son of Dancrāt. 2. By their descendants under a later Gundihari son of Gibica. The other contingency—namely, that there were two Burgundian kings named Gundihari has actually been evolved. Jahn has argued and drawn conclusions on this particular point without real insight into the problem of Gibica and the two Gundiharis; cp. p. 305 and *Stammtafel*, p. 555. Jahn, however, did refuse to discredit the testimony of the Burgundian Code.

In the body of the Code of Burgundian Laws promulgated by King Gundobād in A.D. 502, reference is made by that lawgiver to six of his progenitors (*auctores* is the word used) of royal memory. The names of four of these are given in latinised Burgundian forms. Two others are referred to by Gundobād as his father and his uncle; but he does not give their names. In spite of the demurrer of the editors of Gregory of Tours the names are known to have been Gundiuc and Hilperic. These kings came after Gundihari and his brothers, the sons of Gibica, and before Gundobād; consequently, as he says that he was preceded by his father and his uncle, it is difficult to distrust the evidence of the Code when the name of his father is in question. Gundobād succeeded his uncle Hilperic in 491, and according to Gregory of Tours he reigned conjointly with his three brothers Godigisilus, Chilpericus and Godomarus. Gundobād died in 516. His father Gundiuc died in 476, and he had served under the Patricius Aëtius at the battle of Châlons, when Attila and the Mongolian Huns were defeated. This occurred on September 20, 451.

I have said 'Mongolian Huns' advisedly. The third contingency which our antithetic statement involved was the possibility of two different tribes being called *Hunni*

by Latin writers. That actually was the case. In the Venerable Bede's 'Historia Ecclesiastica' two peoples called *Hunni* are mentioned.[1] In Bk. I. xiii. we find a reference to the Mongolian Huns which everybody is acquainted with. In Bk. V. ix. Bede tells us about Egbert's wish to evangelise Germany, and says that Egbert knew

'in Germania plurimas esse nationes a quibus Angli uel Saxones, qui nunc Brittaniam incolunt, genus et originem duxisse noscuntur. . . . Sunt autem Fresones,[2] Rugini, Danai, Hunni, Antiqui Saxones, Boructuari'; (ed. C. Plummer, p. 296.)

[1] In Geoffrey of Monmouth's *Historia Regum Britanniæ*, V. xv., we read that Guanius, King of the Huns, and Melga, King of the Picts, wrought great destruction in the Germanias and on the sea-coast of the Gauls. They then invaded Britannia and were defeated by Gratian Municeps. This usurper reigned in Britain during four months in A.D. 407. *Guanius* [with *n*::*ll*] is Guallius, i.e. Vallia, and these *Hunni* were Hūnas of Mornaland (*i.e.* Maúringā) and Picardy. The Piccardach in Britain were the Picts. The scribal error is curious, but we find 'millium' represented in one edition of Gildas by the incongruous phrase *ad unum* [*ad*::*m*]; cp. 'Gildæ Sapientis *de Excidio Britanniæ*,' ed. Mommsen, *Chronica Minora*, III. p. 25, l. 12, 1894.

[2] Procopius, *De Bello Gothico*, IV. xx., stated that Φρίσσονες as well as Angli migrated to Britain. Mr. Chambers attributes the statement to confusion and says that it lacks confirmation; *Widsith*, p. 67, note 4. Similarly Bede's reference to *Hunni* dwelling in the north of Germany in the seventh century is discredited. But when Bede asserts that some of these *Hunni* came to Britannia along with Old Saxons, Frisians, Danes, &c., the rejection of his testimony assumes a different aspect. It is no longer a case of *gratis asseritur : gratis negatur*, and the too facile rejection overlooks the fact that 'Hūnu-,' 'Hūni-,' are Old Germanic protothemes of regular and frequent occurrence. Moreover we must remember that Jordanes, Bishop of Ravenna, *c.* 550, had something to say about a related ethnological fact which seemed equally inexplicable to him. In the *Getica*, he tells us about a Gothic tribe called the Hūnugāri 'quorum mansionem primam esse in Scythiæ solo iuxta paludem Mæotidem; secundo in Mœsia Thraciaque et Dacia; tertio supra mare Ponticum rursus in Scythia legimus habitasse.' 'Nec eorum,' he continues, 'fabulas alicubi reperimus scriptas qui eos dicunt in Britannia vel in una qualibet insularum in servitutem redactos et unius caballi pretio quondam redemptos.' Jordanes could not accept this statement, but students of the *Notitia Dignitatum* of *c.* 390 will recall to mind that among the auxiliary troops stationed in the Britannias 'per lineam valli' was an 'Ala Saviniana,' whose headquarters were at *Hunnum*. An *ala*, generally speaking, was a wing of an army and comprised both cavalry and light-armed auxiliaries. A particular *ala* could only be a troop of horse. The stem

This passage has escaped the notice of all historians who have dealt with the Burgundian difficulty. It is noteworthy that Bede names *Hunni* and *Antiqui Saxones* together, and in that order: similarly Widsith in one and the same line tells us that 'Ætla weold Hūnum, Eormanric Gōtum,' and the Gōtas were the *Antiqui Saxones* of Westphalia. In future we must either speak of Mongolian Huns and Teutonic Huns, or, leaving the name Hun as we find it, call our ancestors the *Hunni* of Bede 'Hūnas.' I propose to adopt the latter course.

We now come to our fourth contingency—namely, the twofold possibility that both the Huns and the Hūnas in the second quarter of the fifth century were governed by kings whose names were set down as 'Attila' in Latin. We do not know how Attila the Hun pronounced and wrote his name, and the Latin form of it is only an approximation. In Greek we find it written Ἀττήλα, with long *e*. Consequently the *i* in *Attila* may be long and the true word be *Attīla. I do not propose to discuss this point and it is mentioned in order that legendists and historians who equate the 'Ætla' of 'Widsith' with 'Attīla,' name with name, may have their attention drawn to another item which they have neglected. The phonologist has always experienced difficulty in comparing Old English 'Ætla' and Old Icelandic 'Atli' (which are rule-right equations) with Middle High German 'Etzele,' which is the rule-right ultimate form of the Latin loan-word 'Attīla,' through Old High German 'Ezzelo.' Now if it can be shown that O.E. 'Ætla' (or 'Attle' as it is now pronounced at Attleborough in Norfolk) is Germanic, it should follow that there would

of *Saviniana* is the stem of the river-name Sav-us, and that was the northern boundary of Mœsia in which province the Emperor Valens allowed the WisiGoths to settle in 376 under Athanaric. The facts about the Hunugari recorded by Jordanes, *c.* 550; the inclusion of *Hunni* among the Germanic invaders of 450 by Bede in 730; the report about the *Hunni* made by Geoffrey of Monmouth in *c.* 1130, and the hitherto undetected connexion of Mœsia with Hunnum near the Picts' Wall, through the Ala Saviniana, are items worthy of credence and application.

be no need to explain the impossible, that is, the presence of Attila and his Huns in Germania Prima in A.D. 436, inasmuch as it was Ætla and the Hūnas who overthrew Gundihari in that year, put him and his family to the sword, and slew many thousands of his people. 'Ætla' is found in Old English, in the tenth century, compounded with the deuterotheme *-brand*, in 'Ætlebrand'[1]; it occurs also in the 'Liber Vitæ Dunelmensis' of the eighth century; and we find it in the Venerable Bede among the names of the famous men who were educated at Whitby under the Abbess Hilda in the seventh century, viz. Ætla, bishop of Dorchester in Oxfordshire in about A.D. 680; *v.* 'H.E.' IV. xxiii. p. 254. A still earlier occurrence of the name appears in Sextus Aurelius Victor and his Epitomiser. They tell us that the Emperor Gallienus was enamoured of Pipa, daughter of Attalus, king of the Marcomanni in *c.* A.D. 260.[2] This, I believe, has been overlooked by all investigators and its date removes the stem *Attal-* from the possibility of connexion with the Huns of Pannonia, for *Attal-* would yield O.E. *Ætl-* and O.Icel. *Atl-*, but not O.H.G. *Ezzel-*.

We are now justified in attempting to date the visit of Widsith to the Court of Gundihari, the son of Gibica who ruled the Burgundians in the fifth decade of the fifth century. Attila laid siege to Orleans in May 451, and Aëtius raised the siege on June 14. Now Gundihari, or Guðhere, went forth to meet Attila, and was slain, almost as soon as the latter had crossed the Rhine. We may therefore date Guðhere's death in May 451. If the assumption that Guðhere's reign over the Burgundians in Sapaudia began in A.D. 443 be accepted, we may assign Widsith's visit to King Guðhere's Court to about A.D. 447. This date can hardly be more than four years wrong, either way. As

[1] Cp. *Onomasticon Anglo-Saxonicum*, by W. G. Searle, 1897, pp. 62, 76.

[2] *V.* 'Sexti Aurelii Victoris *Liber de Cæsaribus*,' ed. Fr. Pichlmayr, 1911, p. 109: 'filiæ Attali Germanorum regis Pipæ nomine.' And 'Incerti auctoris *Epitome de Cæsaribus*,' p. 160, *u.s.*: 'a patre Marcomannorum rege matrimonii specie susceperat Pipam.'

Widsith speaks of Guðhere in the past tense we must date the composition of the 'Traveller's Song' later than 450.

The Hūnas of 'Widsith' are also to be identified with those *Hunni* who were allied with Aëtius and served under his general Litorius in the war with the WisiGoths in A.D. 439.[1] In 435 the Burgundians under Gundihari, the Günther of the High Dutch sagas, rebelled against Aëtius, were severely castigated by him, and compelled to sue for peace. Apollinaris Sidonius[2] informs us that the form their rebellion took was an attack upon 'Belga,' by which I understand Belgic Gaul to be meant. Belgica Prima contained the seat of Aëtius's government—namely Trēveri. Aëtius was in Norica at the time and he was engaged in repressing a revolt of the Juthungi. The Hūnas of 'Widsith' dwelt in Mornaland, and that country, no doubt, was the land of the Morini in Belgica Secunda. Widsith refers to its people as the Mornas and places them next the Persas, or Parisii.[3] Aëtius had to deal adversely with the WisiGoths in 436, and as the Burgundians were believed to have had at least as many as 20,000 fighting men it may have been considered good policy to allow Ætla and the Hūnas of Mornaland to destroy them.

V.—Casere and the Creacas

On July 25, A.D. 306, Constantine the son of the dead Emperor Constantius Chlorus was proclaimed Augustus at York. Foremost among his supporters was a king of the

[1] Cp. Prosper Tiro, *u.s.*; 'Fl. Theodosius Aug. xvii. et Festus. Littorius qui secunda ab Aëtio patricio potestate Hunnis auxiliaribus præerat. . .' It is noteworthy that Litorius was called *Comes*. Hydatius Anno xv. Theod. [= 439] calls him 'Romanus Dux.'

[2] *V.* line 233, Carmen vii.—

'Nam post Iuthungos et Norica bello subacto
Victor Vindelico Belgam Burgundio quem trux
Presserat, absoluit iunctus tibi.'

[3] Cp. The Parker MS. of *The Saxon Chronicle*: '660. . . . Ægelbryht onfeng Persa biscopdomes on Galwalum bi Signe': In A.D. 660 Ægelbryht received the bishopric of the Persé, in Gaul, on the Seine. *Părisii* > *Pærisi > 'Perse,' according to rule.

Almains called Crōcus[1] by Latin authors. Crocus had been in alliance with Constantius Chlorus and we may infer that he was the leader of auxiliary Alemannic troops serving with the Roman army in the Britannias. The alliance with Crocus and the introduction of the Almains into the Britannias, no doubt took place soon after A.D. 300, in which year Constantius defeated them with great slaughter in the country of the Lingones, into which they had penetrated. About eighty years after this Ammianus Marcellinus tells us that the Almains in the Britannias were flourishing in numbers and power, and that the Emperor Valentinian had put them under the rule of Fraomarius, the king of another Alemannic tribe called the Bucinobantes.[2] This took place in A.D. 372. Widsith, writing another eighty years later, does not mention the Almains by that name at all. That is a remarkable omission, for the Alemannic races remained formidable until the battle of Tulbiacum, or Zülpich, in which they were defeated by Clovis in A.D. 496. In the seventh century the anonymous writer who is known as the Cosmographer of Ravenna tells us that there was a district in Britain near the Wall of Severus called 'Croucingo.'[3] This word is Alemannic and may belong

[1] *V.* 'Libellus *de Vita et Moribus Imperatorum* breviatus ex libris S. Aurelii Victoris,' ed. Fr. Pichlmayr, *u.s.*, 1911, p. 166: 'Quo mortuo cunctis, qui aderant, annitentibus, sed præcipue Croco Alamannorum rege auxilii gratia Constantium comitato, imperium (Constantinus) capit.' The oldest MS., *Gudianus* 84, *Biblioth. Guelferbytan.*, was written at the end of the ninth century.

The Latin word *crŏcus* means 'saffron.' We do not know the quantity of *o* in 'Crocus.' Contrast *fŏcus* 'a hearth,' *fōcāle* 'a bandage for the neck'; *vŏco*, 'I call,' *vōcula* 'a weak voice,' &c. That the quantity is long will be proved in the sequel.

[2] 'In Macriani locum Bucinobantibus, quæ contra Mogontiacum gens est Alamanna, regem Fraomarium ordinauit (Valentinianus); quem paulo postea, quoniam recens excursus eundem penitus uastauerat pagum, in Brittannos translatum potestate tribuni Alamannorum præfecerat numero, multitudine uiribusque ea tempestate florenti'; 'Ammiani Marcellini *Rerum Gestarum* Libri qui supersunt,' ed. V. Gardthausen, 1874, XXIX. 4, 7, p. 182.

[3] *V.* 'Ravennatis Anonymi *Cosmographia*,' edd. M. Pinder and G. Parthey, 1860. p. 432. The oldest MS. is *Vaticanus Urbinas* 961, of the thirteenth century. Cp. Fr. Kluge's *Etymologisches Wörterbuch*,' *sub* 'Gau,' where 'Pathergō' is cited.

to the latter part of the sixth century, to which period it is believed that the collection of much of the material preserved by Ravennas should be ascribed.

The prototheme 'Croucin-' presents the Alemannic and Suevic termination *-in* of the possessive case of nouns ending in *o*, and the whole word means the *Gou*, or tribal region, of some chief named Crouco. We need not hesitate to identify this eponymous chief with the Crōcus of Sextus Aurelius Victor. Moreover, the statement made by Ravennas indicates that some, at least, of the descendants of Crōcus had remained in Britain after his death, and sufficiently long after to hand down the name of their ancestor into the sixth century. It also affords presumptive evidence that the sib of Crocus and its allies formed the body of those Almains whose prosperity in 372 was recorded by Ammianus less than ten years later.

The principal city of these Almains of Croucingo was Craucestre. This place was mentioned by Leland,[1] under this name, and is situated at about forty miles to the north of the Pict's Wall. It is the Craster of to-day.

We also find Craster mentioned in the Welsh Triads of the Hengwrt Collection.[2] No. 27 records the death of certain princes of the Cumbrian Britons who flourished in the sixth century, at 'Cair Greu.' *Cair Greu* means the City or *Castra* of Creu. 'Creu' is Middle Welsh, and it postulates Modern Welsh '*Crau' and Old Welsh '*Crou.' These represent an older stem '*Crōg.'[3] The name of this city also appears in the List of the Cities of Britain in the 'Historia Brittonum,' a collection of historical pieces made

[1] See his *Collectanea de Rebus Britannicis*, ed. Hearne, 1770, I. p. 200, and cp. *Notes and Queries*, 8th series, X. 216, 325.

[2] *V.* 'Trioed Arthur ae Wyr' (from *Peniarth MS.* No. 45, *olim Hengwrt MS.* No. 536, written at the end of the thirteenth century), ed. W. F. Skene, *Four Ancient Books of Wales*, 1868, p. 463. Cp. also Mr. J. Gwenogvryn Evans's *Reports on MSS. in the Welsh Language* (*Hist. MSS. Com.*), I. pt. 2, 1899, p. 379.

[3] Cp. 'Zur Keltische Lautgeschichte' by W. Foy in *Ztschr. f. c. Philologie*, III. 1901, p. 272 (*pāgus*). Also cp. Prof. Wright's remarks on au, ou, ō, *Historical German Grammar*, 1907, I. 25, 36. Old Welsh *ou* rimes with 'coy'; Old High Dutch *ou* with 'cow.'

in A.D. 837. In this List we find 'Cair Grauc.'[1] Yet another trace of Crocus the Almain may be found in 'Crocogalana,' the name of a station at Brough, near Newark-on-Trent, about 12 m.p. to the S.W. of Lincoln.

The Old High Dutch form in Ravennas, namely 'Crouc-,' represented an Old Germanic '*Crauc-' and this postulates an Old English stem *Crēac-*. That form we actually do find in Widsith, who tells us that 'Cāsere weold Crēacum': Casere ruled the *Crēacé*, i.e. the Creacas. The Middle High Dutch plural of 'Crouc-' would be '*Croici' or '*Chroici'; and it may well be the knowledge of this form that suggested the use of the Latin word 'Græci' to the early collectors of historical and legendary notices about the noble city of Treves.[2] The true plural for 'Greeks' in High Dutch in the ninth century was 'Kriachi.' I am mentioning this because two celebrated English scholars who were separated from each other by a thousand years—namely, King Alfred the Great and the late Henry Sweet—made the mistake of regarding the Old English 'Crēace' as the equivalent of the Old High Dutch 'Kriachi.'[3]

The so-called 'Greeks' of the Rhine, who were dwelling in the Black Forest region, invaded the neighbourhood of the Trēviri in the reign of the Emperor Constans, in about 350, and sorely oppressed the provincials, plundering and slaughtering them and burning their homes. As they

[1] The XIth-century Vatican MS. has 'Cair graut.' The error of *t* for *c* is frequent. The scribe of the Durham MS. of the *Historia Brittonum*, who was writing *c.* A.D. 1150, could even write 'Cair Taratauc' for *Caratauc*.

[2] 'Igitur omnipotens Deus tres plagas maxime gladium venire permisit super regnum christianorum et super civitatem Trevirorum tribus vicibus: prima autem plaga Grecorum sub imperatore Constante filio Constantini [† 350]; secunda Wandali et Alemanni [A.D. 406]; tertia Hunorum [A.D. 451].' *Vide* 'Codices S. Mathiæ et S. Gisleni' in Hillar's *Vindicatio Historiæ Treverorum*, pp. 57, 159. Also cp. 'Post quem [*sc.* post S. Paulinum Treverensem episcopum († 358)] Bonosius; deinde Brittonius . . . Horum temporibus Greci cum magna manu Treberim invasere et cædibus et rapinis et incendiis graviter attrivere'; *Gesta Treverorum* ed. G. Waitz, 'M.G.H.,' 'SS.' tom. VIII. 1848, p. 154.

[3] Cp. King Alfred's 'Orosius,' and 'Dialects and Prehistoric Forms of Old English' (1876) in *Collected Papers of Henry Sweet*, 1913, p. 196.

are called 'Græci' (Γραίκοι) = *Chroici, it would appear that a part of the sib of Crōcus the Almain had returned from Britain to the old home of the race, opposite Rauracum and Argentoratum, on the east of the Rhine. There was an earlier Crōcus king of the Almains in *c.* 260, who invaded Gaul, and whose doings are recorded by Gregory of Tours and other hagiographical writers. Gregory relates the destruction of ancient buildings and the cruel treatment accorded to defenceless people, and characterises Crocus as a man of great arrogance. He was eventually captured and put to death.

The curious linguistic accident whereby one of the most savage tribes of Germany came to be known as 'Greci' recalls the claim made by Jordanes, Bishop of Ravenna, who wrote his 'De Getarum Origine' in about A.D. 550, on behalf of the Goths. This claim was repeated by William of Jumièges in the thirteenth century. He says:

'Pene omnibus barbaris Gothi semper exstiterunt sapientiores Græcisque ferme consimiles. Nam Martem Deum apud se autumant fuisse exortum, quem humani placabant effusione sanguinis.'

During the reigns of the Emperors Constantius II., Julian, and Valentinian, the Alemannic confederation was very active in invasion. In one of their inroads into Gaul, Julian intercepted them on the west of the Rhine near Strasburg, and defeated them very severely in the month of August 357. Valentinian also had great trouble with the Almains. The treachery and turbulence of their kings were so exasperating that the Emperor, who was a man of violent and outrageous temper, threw some of them to the wild beasts and, according to Ammianus, burnt at least one of them alive. In the fourth century the Almains were regularly enlisted into the Roman imperial service, and their kings and princes were advanced from time to time to responsible and important positions. One of their kings, Wădomări by name, was made Duke of Phoenicia, and it may have been to him that the incorporation in the Roman

army of the *Cohors V. Pacata Alamannorum* and of the *Ala I. Alamannorum*, both stationed in Phoenicia, was due. In Egypt also there was another body called *Cohors IX. Alamannorum*. This was stationed at Burgo Severi, in the Thebaïd. I have already mentioned the preferment of another Alemannic king, Fraomarius to wit.

These facts should lead us to turn to 'Widsith' with increased interest where the Alemannic race of the Creacas is concerned. The poet tells us that he 'was among the Creacas' and that he 'visited Casere—him who possessed the government of Winburg, of Willa's *Insula* and the Willas, and of Gaul.' Critics of 'Widsith' believe that 'Casere' means 'the Emperor,' and that 'Walarice' means the Eastern Empire. The Creacas, too, are equated with the Greeks. All this is fanciful and quite uncritical. Henry Sweet and Eduard Sievers[1] pointed out, forty and thirty years ago respectively, that there were more irregularities than one in this alleged equation. But the legendists did not allow the doubts expressed by these linguistic authorities to restrain them; and as they only knew of one nation of Greeks, and were quite unaware of the existence of the 'Greeks' of the Rhine, they turned the sentence as we know.

The word 'Crēacum,' it is suggested, is an 'odd' form. But King Alfred uses it in pursuance of the error I pointed out just now. We also find it in the Abingdon Saxon Chronicle, which was not brought down lower than A.D. 977, and was written about the year 1000. In that MS. the name of Crayford, in Kent, appears as 'Creacanford,' in annal 456. This also has escaped the notice of critics of 'Widsith,' but, word for word, the forms are the same.

'Wālarice' signifies *Extraneorum Regnum*, i.e. the Foreigners' Realm. This was Gaul. Other names are '*Wāl-land' (Anglian) and 'Wēalland' (West Saxon). Edward the Confessor came 'of Wēallande,' i.e. from Gaul.

[1] Sweet's doubts are expressed as above in the preceding footnote, Sievers's may be found in Sievers-Cook's *Grammar of Old English*, 1887, p. 32.

The Old High Dutch was *Uualholant*.[1] Therefore, when we are told by Widsith, a contemporary poet, that the Almain or Creac Casere possessed the rule over Gaul, it is clear that we have an historical statement which is worthy of critical consideration. In Old English *Cæsar* became 'Casær'[2] and a coin bearing Cæsar's image was called a *Càser-ing*. Hence the Old English form 'Cāsere' postulates the Latin *Cæsări-us*. Now in the Frankish chronicler Fredegarius Scholasticus, who flourished in the middle of the seventh century and the earliest extant copy of whose work was written not more than fifty years later, we find it recorded, at the imperial year equivalent to A.D. 447–448, that the Count Cæsarius was slain at Seville by a Gothic nobleman named Agyulf.[3] We thus have an Old English 'Cāsĕre' possessing the rule of Gaul, *ante* 450, and a Latin 'Cæsărius,' bearing the rare title of Count, assassinated in 448. I say 'rare' because the Register of the Dignitaries[4] enumerates only six Comites Rei Militaris in the whole proconsulate of Africa. That included Britain, Gaul, Spain, Italy and Africa. In addition to these there were eight Comites Limitum. In so far as the Gauls were concerned there was only one Comes Rei Militaris and only one Comes Limitis. Their common province was the Tractus Argentoratensis. But neither of these Counts could have been regarded as possessing the rule of Gaul.

The event that Fredegari chronicles is also referred to at the same year by Hydatius Lemicanus, the contemporary

[1] *V.* 'Althochdeutsche Glossen,' ed. Steinmeyer, iii. p. 610. The West Saxon of 892 is 'Galwala,' *lond* or *rice* being understood; cp. annals 60 B.C. and 650 A.D. The Middle Welsh is 'Gwalltir,' in which 'tir' = *terra*.

[2] *V.* 'Liber Vitæ Dunelmensis' (IXth cent.), ed. Henry Sweet, 1885, *The Oldest English Texts*, p. 154, line 6.

[3] '[Per] Agyulfum nobilem Gothum in Spalæ Cæsarius com*es* iugulatur. An. xxiv. regni Theudosiæ' (*sic*); 'Chronica quæ dicuntur Fredegarii Scholastici,' ed. Bruno Krusch, 1888, *SS. Rerum Merovingicarum*, ii. p. 73, *apud* 'M.G.H.'

[4] *V.* '*Notitia Dignitatum utriusque Imperii*,' ed. Otto Seeck, 1876, pp. 104, 121, 137.

bishop of Chaves in Gallicia.[1] But he calls the Count 'Censorius.' He gives the name of the assassin and the town where the murder took place, just as Fredegari does, and there is no room for doubt that both chroniclers are referring to the same persons and the same event. The contradiction in name is apparent only, as I shall presently show. The variation is really a strong confirmation of the conclusion already arrived at, viz. that Casere was the Count Cæsarius.

We cannot impugn Hydatius's presentation of the name of the Count: in the first place he and Censorius were contemporary; in the second Hydatius knew the Count well and they travelled together in A.D. 433 from Treves to Gallicia. The occasion of this was as follows:

In 417 the WisiGothic king Wáila, the Vallia of Latin historians and the Wāla of 'Widsith,' drove the Suevi into the mountains of Gallicia. This people of Upper Germany was so closely related to the Almains that Gregory of Tours did not trouble to distinguish between them, and, having introduced the '*Suebi*,' speaks of them in the sequel as *Alemanni*.[2] They became bandits in Gallicia and their depredations were so serious and persistent that in A.D. 432 Hydatius undertook to intercede for the suffering provincials with Aëtius. Hydatius calls Aëtius 'Dux,' but he was really *Comes et Magister Militum*, having held that office since 429. While Hydatius was away from his see a WisiGoth named Wēto surreptitiously visited Gallicia, but had to return to his own people without effecting his object. What that was Hydatius does not explain. In the same year Aëtius's breach with the central

[1] An. xxiiii. Theodosii [= A.D. 448]. 'Per Agiulfum Hispali Censorius iugulatur'; *vide* 'Hydatii Lemici *Continuatio Chronicorum Hieronymianorum*,' *u.s.*, p. 22. Variant manuscript renderings of the Count's name are *Censurius*, *Consurius* (-ārius ?). The Old High Dutch *āri* is equivalent in meaning to Latin *-āri-us*; *v.* Wright, *Historical German Grammar*, 1907, I. § 302. Mommsen's text was taken from *Cod. Phillipps* (*Berol.*) No. 1829, *scr. IX. sæcl.*

[2] *V.* 'Gregorii Episcopi Turonensis *Historia Francorum*,' II. ii. p. 60.

government took place. He was defeated in the subsequent civil war, and was compelled to withdraw for some time to Pannonia. When he had made his peace he returned to power in the Gauls and was saluted as 'Patricius.' Now did he then find his former office filled or not? and did he resume it? Or did he find that it had been filled during his absence and acquiesce? I am unable to answer these questions and the effect of the elevation of Aëtius upon the standing of the Magister has not been investigated. It is noteworthy that an address *De Episcoporum Ordinatione* of A.D. 445 gives the style of the Patrician of the West. It begins: 'Aëtio viro inlustri comiti et magistro utriusque militiæ et patricio'; cp. Clinton 'Fasti Romani,' p. 630. This, however, does not settle the question. It might be supposed to do so, but not only was Aëtius not permanently in residence in the Gauls, but Hydatius gives the names of three several *Magistri* in this very quinquennium. E.g. at Annus XIX (= A.D. 443) he tells us that Merobaudes, a son-in-law of Asturius, the *Magister utriusque militiæ*, was sent by Asturius as successor to himself into Spain. At Annus XXII (= A.D. 446) Hydatius records that Vitus was made *Magister utriusque militiæ* and sent into Spain. At Annus XXIV (= A.D. 448) we learn that Censorius had been sent into Spain and assassinated at Seville. In this annal Hydatius does not style Censorius 'Comes' or 'Magister.' But he had previously called him in other years *comes, comes et legatus Aëtii* and *legatus Aëtii*, and he mentions him five times in all in sixteen years—that is to say, more frequently than any other prominent man of the time, Aëtius excepted.

The Count Cæsarius, then, if he was the Casere of Widsith, was an Almain of the sib of Crōcus. That is the reason why he was made the legate of Aëtius, either alone, or in company with Frētimundus, on three occasions when Aëtius communicated with the Suevians in Gallicia. Both Almains and Suevians were High Dutch, as we have seen. Their dialect was identical and it is to dialect that the

difference between 'Cæsarius' and 'Censorius' is due. The variations in the name of the Vandal conqueror who was ruling at that time in Africa—namely, Genseric, are illuminating. We get 'Genseric,' 'Geseric,' 'Giseric,' and 'Gaiseric.'[1] These variations are real ones. They are not to be attributed to scribal errors, and they arise from dialectal peculiarities connected with the preservation or rejection of the medial contact of *n* and *s*. The Almains, Suevians, Goths and Vandals preserved *n* in *ns*; the Old Saxon, Old Franconian, Old English and Old Norse dialects rejected it.[2] Now as Gens- yields the dialectal variations 'Gēs-,' Gīs-,' and 'Gais-,' similarly Cens- may be expected to yield 'Cēs-,' 'Cīs-,' and 'Cais-.' These severally do occur, and not only do we get 'Censōrius,' the Latin metaphony of an Alemannic and Suevic proper name, which we may judge to have been *Censāri, but also 'Cæsărius,' the Latin metaphony of the Old Franconian form of that name, from which *n* had dropped and the vowel in which had received compensatory lengthening according to rule. The Old English *ā* is postulated by *ái*, *ē*, and *ei* in Continental Germanic words that are common to both groups of dialects. For these reasons the Casere of the Angle Widsith, the Count Cæsarius of the Franconian Fredegari, and the Count Censorius of the Spaniard Hydatius are one and the same Alemannic prince. He, like Wadomari and Fraomari, had attained the high office of Comes in the service of the Emperor. Moreover, in view of what we know about the rapid succession of *Magistri utriusque Militiæ* under Aëtius, and of what Widsith tells us, we may assume that Casere was appointed to the post of Magister in 447, or 448, and he was slain in the latter year. It would also appear to be probable that he was filling the office in 433, when Aëtius recovered place and power, because, as we have seen, Hydatius calls him Count in that very year.

[1] Cp. also 'Gensimundus,' 'Gesimundus,' in *Cassiodori Variarum Liber* VIII. ix., ed. Mommsen, 1894, 'M.G.H.,' XII. p. 239.

[2] Cp. Wright, *O.E. Grammar*, 1908, § 286, also §§ 61 and 147.

Widsith does not give the Almains their tribal name, as I have said; but cites them by their royal sib-name of Crēacé, just as one branch of the Goths, namely, the Ostro-Goths, was referred to by its royal family-names of the Amalungas and Gruthungas, and the other, the WisiGoths, by the royal family-names of the Balthungas and the Thervingas.

Craucestre and the Croucingo of Ravennas have been located in Northumberland and we must look in the same direction for Winburg, the city over which Cāsere ruled as prince of the Almains. Winburg is the Vinovium of the Itineraries, the *'Ουιννοvίον* of Ptolemy, and the modern Binchester. It was called Castellum Guinuion by the Welsh, and one of King Arthur's earlier victories was gained there.

'Wiolanē' is *Wiolaneu, the *insula*[1] of Willa, i.e. the region in which the sib of the Willas had their seat. The numerous variants in the Chronicles, and on Anglo-Saxon coins, of the ancient name of Cricklade in Wiltshire, indicate Crēacagelād, i.e. the Way of the Creacas. 'Wiltshire' is modern, and the Old English name of the district was 'Wiltunscir' in the eleventh century, and 'Wilsætan' in the ninth. The connexion of Casere and the Creacas, and the Willas of Wiolaneu, with Crēacagelād and the Wilsætan is clear.

APPENDIX A

Dialectal Variation

The characteristics of the four dialects of Old English were first detected and investigated by Henry Sweet, *v. supra*, note 4; Eduard Sievers added to and applied the principles deduced by Sweet, *v. supra*, note 2; and Professor Joseph Wright has since extended their researches and embodied the aggregate results in his Old English Grammar (1908), with copious examples

[1] An 'insula' and an 'eu' are not necessarily islands; cp. 'Isle de France' and 'Beardan-eu,' 'Herut-eu,' and 'Peartan-eu' in Bede; also 'Lindisfarana-ēē,' in Chronicle, MS. F, Annals 779, 780, for another form of 'eu.'

and singular clearness of method. Only a few of the dialectal peculiarities in the text of ' Widsith ' need be commented upon.

1. The late West Saxon development whereby *ī* represents *īe*, the umlaut of *ēa*, appears in ' ānīhst ' (l. 115) and ' Hlīþe ' (l. 106). The sequences are nīhst < nīehst < *nēahist ; and Hlīþe < *Hlīeþi < *Hlēaþi. *Hlēaþi = Germanic * Hlauþi > Old Icelandic ' Hlǫþ.'

2. West Saxon *ǣ* is sometimes postulated by Anglian *ē* ; cp. Wright, *O.E. Grammar*, §§ 187, 188. But as Anglian *ē* equates W.S. *ēa* and *ēo* before *c*, *g*, and *h*, there is only a generalisation to guide one. Hence such an Anglian Latin form as ' Hēcana ' in Florence of Worcester postulates W.S. *Hēacana*, *Ēacana*, and not ' Æcen-' as in l. 54 where we get *Ænen-* [with *n* : : *c*]. The scribe Δ applied this supposed rule in another case : viz. ' æþele ' (l. 5) fo *eþele*. In ' Hēþcan ' (l. 102) and in ' Hrēþ ' (lines 2, 10) he reproduced the Anglian form.

3. The Anglian *ēa* = W.S. *ēo* is unconsciously reproduced in ' *Henden* ' for Hēaden [with *end* : : *ead*] the W.S. Hēoden ; cp. ' Hēodeninga ' in the ' Lament of Deor.'

4. The breaking of *e* before *r* + consonant is *ear-* in Anglian and *eor-* in W.S. ; hence the form ' Earmanrices ' in line 26.

5. The Angle *u*-umlaut of *e* is *eo*, and that is also the *o*-umlaut of *e* in the same dialect. But the latter rule is not adhered to : cp. Wright, § 93. A Germanic form *Erul-* ought to yield *Eorul-* in both Northumbrian and West Saxon ; but the MS. gives *eatul-* for *earul-* : cp. Sievers-Cook, § 249, note 2, ' teoru,' gen. ' tearos.' Sweet, also, remarks upon the ' confusion between *ea* and *eo* in non-Saxon dialects ' ; cp. ' Dialects of O.E.' *u.s.*, p. 204.

Dr. Chambers's Reply

I have to thank Mr. Anscombe for his courtesy in sending me a proof of his paper,[1] and for his kindly references to

[1] The Council of the Royal Historical Society wish to observe that Mr. Anscombe's Paper (which, owing to the difficulty of following the Old English text, was printed and circulated at the Meeting) has at their suggestion been revised by the Author, before publication, for the purpose of deleting any expression that might savour of discourtesy towards the distinguished scholar from whose views on certain academic questions Mr. Anscombe has ventured frankly to differ.

my work. His suggestion of the deficiencies of the twenty-two editors of 'Widsith' is an indictment of the whole school of Anglo-Saxon philology during the past eighty years. As this indictment has been made at a meeting of the Royal Historical Society it should have some answer.

When in 1910 Professor Sedgefield printed the text of 'Widsith,' Mr. Anscombe charged him with transcribing the MS. inaccurately. This charge was somewhat invalidated by the fact that Mr. Anscombe made no claim to have himself seen the MS.—the famous 'Exeter Book.' Mr. Anscombe depended entirely upon a transcript of this MS., made for the British Museum in 1832. He argued that all the editors of 'Widsith' had copied from this transcript and from each other, and had kept on 'interpolating here and emending there, until the printed text has ceased to be authoritative.'

Now, as a point of fact, 'Widsith' was transcribed from 'the original at Exeter' by Thorpe, before 1833. This transcription was collated with the original by Schipper (1870–1), and re-collated by Wülcker (1882), whose text has been accepted as the received text ever since. I have myself twice compared Wülcker's text with the 'Exeter Book' (first in March 1910, and again in April 1911), and can testify that it is absolutely accurate.

Now to discuss the development of the textual criticism of 'Widsith' in ignorance of the fact that it was transcribed *from the original* by Thorpe, and that this transcription was collated *with the original* by Schipper, and again collated *with the original* by Wülcker, is to discuss the matter in ignorance of the three fundamental facts upon which discussion must be based.

Accordingly, Professor Sedgefield replied to Mr. Anscombe, drawing attention to these defects in his argument, but refusing to enter into further controversy, as his antagonist had still to learn that 'the British Museum transcript of the MS. is not of equal value with the MS. itself.'

After this, I think the editors of 'Widsith' might have been granted a 'close time' until Mr. Anscombe had leisure to consult the MS., and see whether his accusations were true. Even the Queen of Hearts in 'Alice in Wonderland,' who insisted on 'Verdict before Evidence,' *did* allow Evidence to come second.

I was therefore surprised to learn that in the presence of the Fellows of the Royal Historical Society, a further attack had been made upon us. (I may use the word 'us,' since my own edition of 'Widsith' has appeared in the meantime.) Mr. Anscombe still makes no claim to have consulted the original. Since he quotes as his authority the Museum transcript, it must be taken that he still has not gone beyond it. (However, since he admittedly made up his mind before he saw the original, it does not make much difference whether or not he now consults the 'Exeter Book.')

But since he can no longer deny that other editors have seen the 'Exeter Book,' he now asserts that these editors were incompetent to read what they saw. 'Their printed texts,' he says, 'proclaim the "incompetency of the twenty-two editors" in the matter of Anglo-Saxon palæography in general, and that of the "Exeter Book" in particular.'

The issue is simple. Thorpe, Schipper, Wülcker, and myself, having seen the *Exeter Book*, agree that the reading is so-and-so. Mr. Anscombe, not having seen the 'Exeter Book,' asserts that our reading is wrong, and that it proves our incompetence in the matter of palæography. The position is that of the Irishman who thought four witnesses who had seen him commit a murder could be refuted by one witness who had not seen him commit the murder.

Besides ignorance of palæography, Mr. Anscombe brings five other charges against the twenty-two editors, chiefly for not having provided sufficient illustrative material of different kinds. But it must be remembered that the only editors in the last thirty years who have *attempted* comment and explanation, are Professor Holthausen, myself, and now Mr. Anscombe.

Mr. Anscombe's charges are :

I. Editors have failed to supply a photographic facsimile of the MS.

But Mr. Anscombe himself cannot consider such facsimile really essential, since he has neither facsimiled the MS. himself, nor, it would seem, has even looked at it.

II. [Palæography. Dealt with above.]

III. 'Editors,' Mr. Anscombe says, 'have ignored stichometry.'

If by stichometry Mr. Anscombe means such researches as he gives in his Section II, the reader must judge whether or not editors have done well in not producing similar matter.

If by stichometry he means that the printed text should indicate where each line of the MS. ends, I do not understand why Mr. Anscombe's own text does not carry out his own desideratum.

If he desires an indication where each page of the MS. ends, his assertion is not accurate, for such indication is found in many editions—in Wülcker's, in Holthausen's, and in mine. In fact Mr. Anscombe appeals to these indications in *my* edition (together with those in the British Museum transcript) as the data for his 'stichometrical examination.' Why, then, does he complain ?

IV. 'Editors,' Mr. Anscombe says, 'failed to recognize that the poem, though now extant in a West Saxon transcription, was originally composed in some other "probably Northumbrian" dialect.'

Yet everyone admits that the poem was originally written in a non-West Saxon dialect. On page 166 of my edition, Mr. Anscombe will find a list of the non-West Saxon words still remaining in the poem ; and Holthausen's note to l. 20 should be compared. Whether the dialect was originally Northumbrian or Mercian it is, however, impossible to say. Mr. Anscombe asserts that the editors ought to have put the poem back into the original dialect. But our knowledge of Old English dialects is limited. We

know the Old Northumbrian, as spoken about the year 950; but this is removed by several centuries from the date of 'Widsith.' A poem can only be transcribed into some other dialect when that dialect is *known*. It cannot be transcribed into a 'probably Northumbrian' dialect of a period from which we have no extant pattern, even of certain Northumbrian, to guide us. And Mr. Anscombe must know this, since he makes no attempt to 'fulfil the requirements made in paragraph IV.—.i.e to put the poem into Northumbrian, probable or otherwise.

V. Mr. Anscombe gives as an instance, where 'the historical student' has a right to demand better treatment from the 'two-and-twenty editors,' that the error of placing the kingdom of Eormenric east of Old Anglia is still persisted in.

But this error *is* exposed in Holthausen's edition (note to l. 8) and in mine (p. 189). We claim no originality, as the error had already been pointed out by Sievers. It is true that the error is still sometimes repeated. But why should Mr. Anscombe blame the editors of 'Widsith' because, in spite of their exposing an error, *other persons* still sometimes repeat it?

VI. Mr. Anscombe complains that editors have not supplied genealogical trees.

My reason for not giving such trees was that, of the seventy odd persons recorded in 'Widsith' very few are known to be related in any way to each other. So far as relationship is known, it is from the more detailed information given in 'Beowulf' as to certain families. Trees summarizing this information will be found in Holthausen's edition of 'Beowulf' (vol. ii. pp. xxx-xxxi), and in the edition by Mr. Wyatt and myself (p. 163). Otherwise there is not sufficient evidence of connexion to make a tree; which must be why Mr. Anscombe himself has not made one.

It will be seen, then, that Mr. Anscombe, in producing a text of 'Widsith' specially intended for historical students,

avowedly makes no attempt to fulfil the six conditions which he says 'the historical student believes he has a right to demand.'

The philological student 'believes he has a right to demand' that a critic, before charging others with incompetency in transcribing a MS., should himself look at the original, or at least obtain accurate information about it. This condition also Mr. Anscombe avowedly made no attempt to fulfil.

I quite recognize Mr. Anscombe's whole-hearted enthusiasm. But I do feel some surprise that in the pages of the 'Royal Historical Society's Transactions,' and in the year 1915, it should be necessary for me to follow Professor Sedgefield and again emphasize that, from the standpoint of textual criticism, the transcript of a MS. is not of equal authority with the MS. itself.

POSTSCRIPT.—Owing to absence in France with the Red Cross, I have not been able to see a copy of Mr. Anscombe's Paper, as revised for publication. The above reply relates therefore to the Paper in the form in which it was read by Mr. Anscombe at the meeting of the Royal Historical Society, and as then circulated in proof. Mr. Anscombe will, I am sure, forgive me if, under the circumstances, I am doing any injustice to his revised article.

On the main question of 'Widsith,' as historical evidence, I do not believe that Mr. Anscombe and I differ as fundamentally as he thinks. I am convinced as to the identification of the most important persons mentioned in the poem with historic characters who flourished in the fourth, fifth, and sixth centuries: and here Mr. Anscombe would agree. Mr. Anscombe thinks that 'Widsith' was originally written in the Northumbrian dialect—and this I am not prepared to dispute.

Northumbria, however, was not colonized by the English till centuries after some of the persons mentioned in 'Widsith' flourished. The references to such persons in 'Widsith,'

are therefore not *contemporary* history, but history as preserved through a period of tradition. To discuss whether 'Widsith' reflects history or legend, as if the one view excluded the other, appears to me wrong. It surely reflects both.

For example, the most important and elaborate allusion in the poem is to Offa I, who reigned over the Angles whilst they still dwelt in the Continental Anglia, in Schleswig. The pedigree of the King of Mercia (upon which I place great reliance, as also I gather does Mr. Anscombe) shows that this Offa I must have flourished twelve generations before Offa II, the historic King of Mercia—probably therefore in the fourth century, and certainly many generations before 'Widsith' can have been composed, if, as Mr. Anscombe believes, the poem was originally written in the Northumbrian dialect.

But, *with this reservation*, the passage about Offa in 'Widsith' is of the utmost historical importance. It narrates the earliest event in English history known to us: how Offa defended his kingdom against an attack made by his German neighbours on the south.

How many people know that English history begins with a struggle carried on by a young English prince against a Germanic war-lord?

R. W. C.

ROUEN,
August 1915.

I appreciate the conciliatory tone of Dr. Chambers's Postscript. His appeal for a 'close time' for editors of 'Widsith' also has its attractive side for the unworthy editor of the twenty-third edition. Dr. Chambers points out that we are the only English editors of 'Widsith' who have *attempted* comment and explanation in thirty years. We are hopelessly at variance, however. I advocate belief in the veracity of Widsith; consequently I trust that the appeal for a 'close time' will be disregarded, and that a thorough re-examination of the whole subject will be

instituted by English palæographers, by Old English philologists, and by English historians who are investigating the affairs of the fifth century.

When Dr. Chambers suggests in his Postscript that I accept long-current identifications of certain princes in 'Widsith' with fourth-, fifth-, and sixth-century historical rulers, I must dissent. My opinions are as follows: The only historical persons in 'Widsith,' who are not mere names, are Wāla, Cāsere, and Guðhere. The poet wrote soon after the death of the unhistorical Theodric, king of the Franks. I date that obit in 457. Widsith was then about fifty years old. None of the princes he names ruled in the fourth century, and not one of them survived into the sixth. With respect to the language of the poem I have never said that it was 'originally composed in the Northumbrian dialect' (thus Dr. Chambers, pp. 159, 161, above). I say, on p. 126, that it 'was preserved for an undetermined period written probably in the Northumbrian dialect.' In a note on Wāla, in *Notes and Queries*, July 6, 1912, I said that a later poet than Widsith had 'accommodated (the dialect) to the idiom of his own day and time."

The only alterations made in my Paper are formal ones. No revision that has been made has diminished the consistency of Dr. Chambers's rejoinder. He gives cogent reasons for not printing genealogical trees in his volume of 264 pages. But there was no need to assign imaginary reasons why, in a Paper of thirty-four pages, I have not included six pages of the Exeter Book, eight pages of textual apparatus and many genealogical tables. Dr. Chambers's remarks, too, about my application of stichometry, are unnecessarily contemptuous.

Dr. Chambers's recollection of my article in 'Anglia' is inexact. I did not 'charge Prof. Sedgefield with transcribing the MS. inaccurately.' I said that the text was 'reproduced erroneously.' Thorpe's text in his 'Codex Exoniensis' is sophisticated, and I said that its origin 'needed to be proved.' I would remind Dr. Chambers

that not only did Wülcker condemn Thorpe for misrepresenting the MS. in one important passage, but that in 1912 he remarked himself of a certain interpolation in line 62 that Thorpe was 'not aware that *mid* was not in the MS.'

When Dr. Chambers says that I have never gone beyond the Museum transcript, and have failed to obtain accurate information, he forgets, on one hand, that certain statements were made by me in 'Anglia' upon the authority of Canon Edmonds, the Exeter Librarian, as I reported; and on the other that his own edition has appeared in the interval.

Notwithstanding this he reverts to 1910 in order to concur with Prof. Sedgefield in a motion that I be not heard because I am ignorant of the Codex Exoniensis. It must be made evident that there is a flaw in this plea: the two scholars have overlooked the fact that Exon. is not represented either *in propria persona* or by photography. What the court has cognizance of is a series of reports which differ from each other in important particulars, notwithstanding the fact that they are signed by scholars like Madden, Thorpe, Wülcker, Sedgefield, and Chambers. Of these reports the first is official, and Dr. Chambers says it is 'very accurate'; 'W.,' p. 187. In 1910 I preferred the British Museum report to Prof. Sedgefield's, or to any other report or collation; and in one fundamental particular I prefer it to Dr. Chambers's, and rely upon it.

In this facsimile report the *a* of *Wistlawudu* has a penstroke written above it. Dr. Chambers neither prints this in his text nor explains it in his note to his line 121. Wülcker, also, ignored it and rendered 'Wistla' by *Weichsel*. The *Weichsel* is the Vistula. But the Angles called that river 'Wisle'; *Weichselmünde* they knew as 'Wislemúða,' and Poland as 'Wisleland.' It is uncritical to render *Wistlawudu* by 'Vistula-wood,' and it is not right that a diacritical mark should be withheld by editors who copy one another and wish it to be believed that the Vistula is referred to.

Dr. Chambers assures me that Wülcker's text is 'absolutely correct.' Now Wülcker omitted all the diacritical marks preserved in the MS., and Dr. Chambers corrected him in that, and 'in one or two other details,' as he tells us himself; 'W.,' pp. 187, 188. Schipper's 'fundamental' collation of Thorpe's 'Widsith' fills one little paragraph of six lines, and he failed to correct the text where it needed it most.

I have nowhere asserted that the editors of 'Widsith' 'were incompetent to read what they saw.' Scribal errors which I have particularised elsewhere[1] are scrupulously reproduced and adhered to by Dr. Chambers and other editors, and great and unnecessary confusion is caused thereby. For instance, no student ought to fumble with the scribal compendium 'ū' as all the editors of 'Widsith' have done. An *a* shaped like a *u*, with the top barred, is found in O.E. MSS. of the tenth century, and misreadings of this *a* as *ū* (= *um*) occur in the eighth. In O.E. texts such errors destroy syntax by transforming genitives plural in *-a* into datives plural in *-um*. Again, there is frequent scribal confusion of *t* with *r*, and *r* with *t*. Editors of 'Widsith' are faced in half-a-dozen places by these three palæographical difficulties, the real nature of which must be recognised before the genuine text of the poem can be recovered and accepted.

Lastly, with respect to my localisation of the 'ēþel Gōtena' to the westward of Ongle: Dr. Chambers confuses the issue when he assures me that he knows the rule about rendering 'eastan of.' I could not doubt it. What I am concerned with is his failure to apply the rule in his geographical dissertation. This failure is exemplified generally in his references to the kingdom of Eormanric as if that had lain to the east of Ongle; and particularly by his locating the Gōtan of Westphalia on the Vistula, *sc.* in his map, p. 258, and in his translation, p. 221.

A. A.

[1] I have contributed fourteen little articles on 'Widsith' to *Notes and Queries* since July 6, 1912.

THE HISTORY OF THE CANADIAN ARCHIVES.

Communicated by A. G. DOUGHTY, C.M.G., LL.D., Dominion Archivist, with a prefatory note by Professor C. H. FIRTH, LL.D., F.B.A., *President*.

WHEN the Royal Commission on Public Records was engaged in its Second Report, it occurred to me that it was desirable to obtain a summary account of the history of the Canadian record system from someone personally acquainted with the archives. The printed reports of the Canadian archivists were upon the shelves of the Royal Historical Society, and it would have been possible to compile an account from them, but I felt that a few pages from an expert would be more valuable and more interesting. Accordingly I wrote to Professor Chester Martin, of the University of Manitoba, asking him if any summary of the kind required was in print, or if he could obtain one. In reply, Dr. A. G. Doughty, the Dominion Archivist, was good enough to draw up the following memorandum. It arrived, however, too late for insertion in the Second Report of the Commission, and is, from the nature of the subject, unsuitable for insertion in the Third Report, which will deal only with local records of a public nature. Moreover, the publication of the Third Report will be for some time postponed. It seemed therefore desirable to print the memorandum in some place where it would be available for the information of historians, and I therefore arranged for its insertion in the present volume of the *Transactions* of this Society.

C. H. F.

Memorandum on the Canadian Archives.—Under the French régime Canada was divided, for administrative purposes, into :

The Government of Quebec,
The Government of Three Rivers, and
The Government of Montreal.

Each Government kept its own records ; but the governors and intendants on leaving the country took with them their correspondence.

By the terms of the Capitulation of Montreal (1760) the French were allowed to retain the papers of government, with the exception of judicial records and maps and plans. Few maps, however, were delivered to the British.

In 1787 a committee of the Executive Council was appointed by Lord Dorchester 'to inquire into the state and condition of the ancient records of the Province and in what place they are deposited.' The committee sat at intervals for eight years and made an inventory of the records found in Quebec, in Montreal, and in Three Rivers.

The principal records discovered were the Judgments of the Sovereign Council, the Records of the Courts of Prévôté, Orders of the King, Orders of the Intendants, Records of the Court of Admiralty and of inferior courts, Papier Terrier, Foy et Hommage, and notarial papers. The papers which exist to-day of the inventory then made are deposited in the Court House in Montreal, the Court House at Quebec, and in the office of the Provincial Secretary of the Province of Quebec.

The records of the courts established by General Murray in 1760 are also in Quebec, and belong to the Government of the Province of Quebec.

The Sulpicians of Montreal, known as the Gentlemen of the Seminary, received as a gift from the French King the whole of the Island of Montreal, and they still retain the records of all the early land grants made within the district of Montreal.

The ecclesiastical records of the French régime are in the custody of the Seminary of Quebec.

Under the Constitutional Act of 1791 Toronto became the seat of the Government of Upper Canada, and Quebec was the seat of the Government of the Lower Province. Papers relating to lands within the new province of Upper Canada were transferred to Toronto. From the Union in 1840 until 1867 many of the records were subject to removal, as the seat of government was alternately at Quebec, Montreal, Kingston, and Toronto. During this period many documents appear to have been lost.

After confederation, when the departments of the service were organised, the Secretary of State became the Keeper of the Records, at least in name, and quantities of records were transferred to Ottawa. The Secretary of State appears to have retained only such records as related more particularly to his department, and to have divided the remainder amongst the other departments.

A record office was created by the Secretary of State and a deputy keeper was placed in charge of the office. The papers of the Secretary of State were divided. Those for which there did not appear to be any immediate use were handed over to the deputy keeper, and the registers of commissions, letters patent, and similar documents were deposited with the Registrar of the Department of the Secretary of State, so that there were two record offices in that department. At intervals between 1868 and 1900 demands were made on the Federal Government by the Provinces for the return of records; but as no satisfactory account has been found either of the number or nature of the documents transferred to Ottawa in 1867, or of those since returned to the Provinces, it is difficult to ascertain how far the collections which formed the federal archives in 1867 have been depleted.

In 1871 a petition, signed by numerous scholars, was presented to Parliament praying for freer access to the public records, and for the appointment of a Dominion Archivist. As a result of this petition the office of Dominion Archivist was created, and an archives branch was established under the direction of the Minister of Agriculture.

A small amount was placed annually at the disposal of the Dominion Archivist ; but no records were transferred to his custody.

For thirty years the archivist struggled to form a national collection, but there was no co-operation either between the Record Office of the Secretary of State and the Dominion Archives, or between the departments of the service and the archives ; indeed, there was open rivalry, and documents were transcribed in England from copies the originals of which were in Ottawa.

The money voted for the archives was expended in making transcripts of records found in the Colonial Office, in the British Museum, and in the archives of France, and in the purchase of small collections of papers which were offered for sale.

In the course of thirty years about two thousand volumes of manuscripts had been transcribed, and about one thousand volumes had been purchased.

On the appointment of the present archivist in 1904, the office of Deputy Keeper of the Records was abolished, and the papers in the Record Office were transferred to the Dominion Archives. An order in Council was passed in the same year providing for the erection of an archives building and for the removal thereto of the records of the Executive Council to 1867, certain papers from the Department of Finance, the Department of Justice, and the Department of Agriculture.

By the public Archives Act of 1912 the control of the archives was vested in the Prime Minister, and the Dominion Archivist was created a Deputy Minister. The archives were transferred later in the year to the control of the Secretary of State.

In 1912 a Royal Commission was appointed to inquire into the nature and extent of the records in the departments and other matters connected therewith. The Commissioners in their report recommend the creation of a Public Record Office and the removal thereto of all documents

older than twenty-five years. The Report of the Com missioners has been adopted by the Government, and as soon as the building is ready the records will be removed.

The present archives building was opened in 1906. It contains :—

1. A Division of Manuscripts.
2. A Division of Maps and Charts.
3. A Library of historical books and pamphlets relating to Canada.
4. A Division of Canadian prints and engravings.
5. A Bindery and Map Mounting branch.
6. A department for the reproduction of documents.

The manuscripts are divided into three classes : —

(*a*) Manuscripts from the Departments and from the Colonial Office (duplicate dispatches).
(*b*) Transcripts made in England, in France, in the United States, and in various parts of Canada.
(*c*) Manuscripts acquired by gift or purchase.
In all, over 20,000 volumes.

The manuscripts received from the departments consist of :—

1. Dispatches from the Colonial Office to the governors of Lower Canada : to the lieutenant-governors of Upper Canada (1787–1841).
2. Answers of the governors to dispatches, correspondence with British Minister at Washington ; correspondence with the Treasury : instructions to governors ; correspondence relating to Victoria and Vancouver Islands.
3. Correspondence to the Civil and Military Secretary.
4. Registers of the Privy Council ; Land books, Orders in Council, Land petitions, Lower Canada ; Land petition Upper Canada, Public Accounts, Acts of Parliament, early Ordinances, Journals of the House of Assembly and of the Legislative Council.

5. Military correspondence, General Orders, Ports and Barracks, Canals, Ship correspondence, Military lands, correspondence of Imperial troops, &c.
6. Correspondence of the Secretary of State with the lieutenant-governors, petitions, marriage bonds, licenses, and correspondence relating to schools, churches, roads, canals. Papers relating to dock-yards and police.
7. Papers relating to the management of the Indians from 1722. Indian surrenders, correspondence of Indian Agents, Custom Papers, Census Papers, &c.

Transcripts.

1. Correspondance Générale, Ordres du Roi, Acadia, Ile Royale, Ile St. Jean, the collection Moreau St. Mery, transcripts of documents in the Bibliothèque Nationale, and in the Department de la Marine, &c., &c.
2. Haldimand Papers, Bouquet Papers, Selkirk Papers, Shelburne Papers.
3. Hudson Bay Papers, Post Office Papers.
4. Colonial Office Records, Board of Trade Papers, Papers relating to Nova Scotia, New Brunswick, and Prince Edward Island.
5. Transcripts of Parish Registers, transcripts of the archive of religious communities, &c., and miscellaneous collections.

Manuscripts acquired by gift or purchase :—

Durham Papers.	Howe Papers.
Bagot Papers.	Macdonald Papers.
Claus Papers.	Neilson Papers.
de Salabery Papers.	Laurence Papers.

Division of Maps and Charts.—Consisting of original plans made by the engineers between 1760 and 1870. Original maps made by the Department of the Interior and the Public Works Department. Facsimiles of maps in the

British Museum and the Colonial Office, and facsimiles of maps made during the French régime, atlases, &c. In all about 13,000. All the maps are mounted on linen and are kept flat in steel drawers, some of which are fifteen feet in length.

Library.—The library contains about 20,000 volumes relating to Canada and 10,000 pamphlets.

Prints and Engravings.—This collection contains about 15,000 engravings, views, portraits, &c., relating to Canada.

Bindery.—Four binders and two sewers are constantly engaged in binding and repairing manuscripts.

All manuscript records are placed in portfolios, and when the classification is complete they are bound.

Photostat.—A photostat has been installed in the archives for the reproduction of documents or printed matter for inquiries. Three or four hundred pages of manuscript can be reproduced per day by this method, at a cost of about five cents per page.

Appropriation.—The annual appropriation for the archives from 1871 to 1904 was between $4000 and $8000. The present appropriation is about $120,000.

Branch offices of the Dominion Archives for the collection of material have been opened in Quebec, in Montreal, and in Winnipeg.

Publications.—The archives publishes an annual report of the work of the year, and edits and publishes collections of documents, such as documents relating to the constitutional history of Canada, calendars of State Papers, &c., and it is the intention of the Government to publish a guide to material scattered throughout the Provinces.

Most of the Provinces have established archives departments or record offices, but their sphere of action is limited mainly to the care of the records in their possession, and little, if any, provision is made for the acquisition of documents.

It is the duty of the Dominion Archivist, however, to purchase or obtain copies of all important manuscripts,

plans, books or prints relating to the history of Canada, and any reasonable amount required for this purpose will be furnished by the Government upon the recommendation of the Dominion Archivist and the Historical Manuscripts Commission, in addition to the annual grant.

Owing to the great distance which separates the Provinces, research work by individuals is carried on with difficulty. It is the intention of the Government to obtain copies of all the more important papers in the Provinces, so that eventually the student will be able to find in the archives at Ottawa most of the material that he requires regarding the history of Canada.

A. G. D.

INDEX

Acuna, 108
Aëtio, 153, 154
Aetius Patricius, 140, 141, 145, 153, 154
Ætla (not Attila), 132, 143, 144
Ala Saviniana, 142 *n.*, 143
Alemanic Confederation, 149
Alfred, King, 150
Ammianus Marcellinus, 146
Anglo-Russian relations, 112, 113, 116, 119, 120
Antwerp, 2, 4, 5, 8–10, 12, 18
Ap Howell, Rees, 40, 46, 61 *n.*
Apollinaris Sidonius, 139, 145
Aragon, Catherine of, 6
Armada, the, 11
Articles of Union, 67
Asuncion (Paraguay), 105
Athanaric, family of, 139
Attila (two kings so called), 138
— King of the Hunni, 138, 141, 143, 144
Audley, Hugh de, 22, 25, 27–31, 42, 48, 50, 53, 54, 57, 59–61
— — the younger, 61
Austria, Don John of, 9
Ayremmyne (Ayremyon), William de, 24, 45

Badlesmere, Bartholomew, 43 *n.*, 61 *n.*
Bannockburn, battle of, 22
Barrier Treaty, 16, 17
Bede's 'Historia Ecclesiastica,' 142
Belgium, 2, 6, 8, 18, 19
— independence of, 19, 20
Beowulf, 128, 160
Binchester, 155
Bohun, Humfrey de, 35–38, 41, 42, 44, 46, 48–50, 53, 61
— John de, 34
Boris, Czar, 115, 118, 119
Boroughbridge, battle of, 62
Bouvines, battle of, 3
Brecon, 35, 47–49, 58
Brembre, 34
Brewosa, William de, 33–37, 39, 62, 63
Brom, Adam de, 58
Bruges, 4, 8
Buenos Aires, 106
Builth Castle, 49
Burgundians and the League, 65
— kings, 136, 138
— orthodox, 136, 138, 140
Burgundy, Code of Laws, 141
— dukes of, 4, 5
— province of, 65

Cabildo, power of the, 97–109
Caerphilly Castle, 25, 56
Caesarius, Count, 151–154
Calais, 4, 5, 11
Canadian Records, 168, 170
Cantref Bychan, 32, 48
— Mawr, 31, 32, 56
Caracas, 105
Cardiff, 54, 56
Carmarthen, 31
Casere, 132, 145
Castellum Guinuion, 155
Castile, Johanna of, 5
Castles of Wales, 45, 48, 50, 54, 55, 58
Censorius, Count, 151–154
Chalons, battle of, 141
Charles the Bold, duke of Burgundy, 5
Chepstow, 63
Chili, 107
Chilperic, king of Burgundy, 138
Clare (de) Gilbert the Red, 21, 26
— Gilbert, killed at Bannockburn, 22
— Eleanor, 21, 22, 26
— Elizabeth, 22
— Isabella, 23 *n.*
— Margaret, 22, 59
— Matilda, widow of Gilbert, 23, 24

Clergy, Macaulay's account of, 88
— education of, 89
— income of, 90, 91
— politics of, 93
Clifford, Roger, 43, 53
Cloth trade, 4
Clotilda of Burgundy, 138
Clovis, 138, 146
Codex Exoniensis, *see* Exeter MS.
Colonies, new, 97
Columbus, Christopher, 99
Cortés, Hernan, 99, 100
Cosmographer of Ravenna, 146
Craster (Craucestre), 147, 155
Creacas (not Greeks), 132, 134, 145, 148, 150
Crocus, 146–149

Damory, Roger, 22, 25, 27, 28, 42, 46, 49, 57, 59, 61
D'Audley, Hugh, 22, 25, 27–31, 42, 48, 50, 53, 54, 57, 59–61
Dean, abbot of, *see* Dore, abbot of
De Origine Langobardorum, tract, 139
Despencer, Hugh le, 21, 23–30, 32–56, 58–60, 62
— the younger, 60, 63
Dijon, 65, 69
Dorchester, bishop of, 144
Dore, abbot of, 51
Dowlais, 30
Drusslan, Castle, 31, 56
Duffryn Ebbwy, 30
Dunkirk, 10, 11, 16, 17
Dynevor Castle, 56

Education of the clergy, 89
— of the squires, 84, 86
Edward I., 21
— II., 45, 47, 49–52, 58–60, 63
Elizabeth, Queen, 7, 8, 9
— letters of, 113, 114, 121
— and the Netherlands, 8, 9
Entente Cordiale, 20
Eormanric, kingdom of, 126, 132, 134, 143, 160, 165
Exeter MS. of 'Widsith,' 125, 128, 130, 157, 158, 163, 164

Feodor, Czar, 115, 118
Fervaques, Count of Grançay, 66, 67
Flanders, 4, 5, 7, 8, 14, 15
— counts of, 3
— wool trade, 3–5, 13
Flavigny, 65, 68
Flemish settlers, 6, 7
Foxcote, Richard de, 40, 61
Foxle, John de, 24
Fredegarius Scholasticus, 151
Fremyot, Benigne, 66

Gaveston, Piers, 22, 53
Ghent, 4, 8
Giffard, John, 32, 48 *n.*, 53, 61
Glamorgan, 24–29, 31, 35, 43, 45, 47–49, 56–58
— lordship of, 24, 26
Gloucester, earl of, 22, 26, *see* Clare
— sheriff of, *see* Inge
Glynrhondda, 25, 29
Godounov, Regent of Russia, 118
Gorges, Matthew, 55
— Ralph, 54
Gower, honour of, 33–35, 37–39
— lordship of, 40–43, 61, 63
Greeks, 148
Gregory of Tours, 137, 138, 141, 149
Gundihari (two kings so called), 138, 141
— son of Dancrat, 137, 141
— son of Gibica, 137, 140, 141, 144, 145
Gundobad, 137, 139
Guntram, king of Burgundy, 138
Gwennllwyg, 25, 28, 30
— county of, 57, 59, 60

Hakelut, Edmund, 31, 32
Hapsburg, house of, 5, 6
Harvey, Lady Brilliana, 86
Hastings, Lady Mary, 116, 117
Herbert, George, 90, 91
Hereford, earl of, *see* De Bohun
Howell, Rees Ap, 40, 46, 61 *n.*
Hrothgar, 127, 128, 133
Hrothwulf, 127, 128, 133
Hunni (two tribes of), 137, 138, 141–145
Huns, 143, 144
— Mongolian, 141, 142
Hydatius Lemicanus, 137, 140, 151–154

Inge, John, Sheriff of Gloucester, 32, 35, 40, 41, 46–49

Ivan the Terrible, 111, 115, 118, 120
Iweyn, Sir John, 55

Joce, Philip, 54, 55
Jordanes, bishop of Ravenna, 142 *n.*, 149
Josselin, diary of, 90–92

Kadzand, 12, 14
Kenefeg Castle, 24, 56
Kidwelly, 33

Lancaster, earl of, 33, 41, 44, 47, 51, 54
Land grants, Canadian, 168
Laws, Burgundian Code of, 141
— of the Indies, 96
League, the, in Burgundy, 65
— estates of, in 1590, 71, 74, 75
Leicester, earl of, 10, 11
Letters of Queen Elizabeth, 113, 114, 121
Lille, 14
Lima, 101, 107
Llanblethian Castle, 24, 56
Llandaff, Chronicle of, 42
Llandilo, 31
Llanhary, 25
Llantrisant Castle, 24, 56

Machen, 28–30, 59, 60
Magna Carta, 51, 52, 60
Magnus Intercursus, 5
Maltravers, John, 53
Margam, abbey of, 37 *n.*
Maurice of Nassau, Prince, 11
Merchant adventurers, 4, 5, 9
Mexico, 100, 107
Midhurst, 34
Military history, 2
Miskyn, 25, 29
Montgomery Castle, 50
Montreal, 168
Morganwg, 27
Mortimer, Roger, 29, 35, 40, 41, 43, 46, 49, 52, 53, 56, 61
— — the younger, of Wigmore, 46, 52, 53
Mowbray, John, 33, 34, 36–39, 53, 57, 61, 62
Muscovy company, 118–120

Napoleon Buonaparte, 18, 19
Nassau, Prince Maurice of, 11
Neath Castle, 24, 25, 29, 55, 56, 58
Netherlands, connection with Spain, 5, 12
— English relations with, 2, 3, 4, 6, 8–10, 13–17
— independence of, 12
New colonies, rules for, 97–99
Newport, 29–31, 53, 54, 59, 60
New towns, founding of, 97, 98, 101, 108
— viceroys of, 102
Nieuport, 2, 10, 11
Norfolk, earl of, 50

Offa, 132, 133, 162
Officials, appointment of, for new towns, 98, 99
Orange, Prince of, 15, 16
Ostend, 2, 10, 12

Paulus Diaconus, 137
Pembroke, earl of, 55
Peru, 100
Pizarro, Hernando, 100, 102
Pliny, 'Historia Naturalis,' 140
Procopius, 142 *n.*
Prosper of Aquitaine, 137, 139, 140

Quebec, 168
Quia Emptores, statute of, 37

Record Office, Canadian, 169–173
Revolution, French, 18
Rhymney, 30
Rodney, Richard de, 40, 41
Ruthin, 25
Ryswick, treaty of, 16

San Miguel, 100
Santiago, 99, 107, 108
Sapy, John, 29, 30
— Robert, 29–30
Senghenydd, 25, 29
Sitwell, Sir George, 79
Sluis, 12, 14
Spanish settlements, 95
— — towns in, 97, 108
— — defence of, 103
— — election of officials, 103–107
— — viceroys of, 102

Spigurnel, Henry, 48, 50
Squires, Macaulay's account of, 78
— defence of, 80–86
Stanton, Hervey de, 24
Stowe, 30
Strogoil, lands of, 63
Swansea, 36, 40, 46, 55, 57

Talevan, 25
Talgarth, 46
Talvan Castle, 56
Three Rivers (Canada), 168
Tintern, abbot of, 42
Toronto, 169
Tours, Gregory of, 137, 138, 141, 149
Triple Alliance, the, 14
Tyes, Henry de, 53
Tyriarhyn, 25

Union, articles of, 67
Utrecht, 8
— treaty of, 16, 17

Valdivia, 107, 108
Vera Cruz, 100
Vere, Sir Francis, 11

Walcheren expedition, 18
Walloons, 8
Walwayn, John, 36
Warenne, John de, 61
Whitchurch, 25
Widsith, dialect versions of, 126, 155, 161, 163
— editions of, by Chambers, 124, 125, 142 *n.*, 156, 160, 164
— — — — Conybeare, 123
— — — — Holthausen, 158–160
— — — — Schipper, 157, 158, 165
— — — — Sedgefield, 157, 164
— — — — Thorpe, 157, 158, 163–165
— — — —Wulcker, 157, 158, 164, 165
— text of poem, 127
— — revised, 131
— — interpolations in, 129
Winberg, 155
Winchester, earl of, 63
Wistlawudu, 135, 164
Wodehouse, Robert de, 45
Wool trade, 3–5

Ypres, 2, 4, 8, 16

Zealand, 7, 10–12, 14

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REPORT OF THE COUNCIL, SESSION 1913–1914.

THE Council of the Royal Historical Society present their Annual Report to the General Meeting of the Fellows, as follows.

The need for larger premises, foreshadowed in the Report of last year, has been met by a change which makes the past Session one of the most important in our history, and will, it is confidently hoped, mark the beginning of a new era of increased usefulness and prestige for the Society.

After careful enquiries, and prolonged negotiations, the Council have acquired from the Bedford estate a lease for upwards of twenty-four years of 22 Russell Square, in close proximity to the British Museum, and not far from the Record Office and the Inns of Court. The lease of the Gray's Inn rooms was transferred as from Christmas, 1914. This acquisition of a whole house gives ample space for the existing library, and room for the expansion which is continually proceeding, and will, it is hoped, go on even more rapidly.

The house is open to Fellows from 10 to 6 on the first five week-days, and from 10 to 2 on Saturdays; with the exception of the usual holidays, a week at Christmas, a week at Easter, Whit Monday, His Majesty's Accession day, and the month of August. The last holiday takes the place of the former holiday from August 15 to September 15. The presence of an office-keeper living in the house will enable Fellows to make enquiries even when the Office and Library are closed. The Council have been much indebted to its Honorary Solicitor, Dr. T. Cato Worsfold, f r his valuable services in connection with the new lease, and have conveyed to him an expression of special thanks for his professional attentions to the interests of the Society in the course of the negotiations.

The move has necessarily been expensive, and the annual liabilities of the Society will be largely increased. The sound financial position of the Society, for which it is so much indebted

to the energy and business capacity of the Hon. Treasurer, has enabled us to meet the immediate outlay from resources in hand. The increased annual charges will be partly met by contributions from other Societies which will use parts of the house. The British Archæological Association will use the meeting room for its monthly meetings, the first two of which have been held already, and will keep its books here. The Historical Association, and the American Historical Association, have each taken a room in the upper part of the house.

But it is to Fellows that the Society must look first for continued and increased support. It is necessary to increase the number of Fellows, due regard being paid to the academic or literary qualifications of candidates proposed. The Council would be glad to include in the Society any candidates of historical training or of literary attainments who are studying history seriously, or teaching it effectively; but must intimate that Fellowship is not to be had for the asking by persons, however meritorious in other ways, who do not fulfil these conditions.

The greater facilities for using the Library, and its increase, will, it is hoped, attract students. Dr. G. W. Prothero's liberality has been a principal cause in this increase. Fellows who publish historical works, or papers, are invited to present copies. The illustrated edition of Macaulay's History, edited by the President, Professor Firth, is being kindly presented by him as the volumes appear. Many standard histories and works of reference are, however, still wanting.

The Library Catalogue is now in the hands of the printers, and will shortly be issued to Fellows.

During the past Session the Society contributed a donation to the expenses of the Roger Bacon Commemoration Committee; and elected the President as a representative on the Committee for the Commemoration of the Tercentenary of the death of Shakespeare.

Early in the year a large and thoroughly representative Committee, under the presidency of Viscount Bryce, was organized by the Society to take steps for the celebration of the 700th anniversary of the grant of Magna Charta, which falls upon June 15, 1915. The War has necessarily affected all such plans; but the Executive Committee, elected by the large Committee, while holding over a final decision about a celebra-

tion probably later in the year than June 15, has good hopes of being able to produce a volume of Essays by representative British and American scholars upon various points and aspects of the Charter. Certain foreign scholars, who had undertaken to contribute, will not be able to do so.

The War must necessarily affect the Society in other ways. The completion of the Bibliography of Modern British History is standing over. Some Fellows are serving in His Majesty's forces, how many it is at present impossible to say; if they or their friends will communicate the facts to the Hon. Secretary a Roll of Honour can be prepared. Some resignations may be expected, but it is hoped that Fellows will do their utmost to continue their support and to replace inevitable losses.

The Society has been able to furnish to the Central Committee for National Patriotic Organization a large number of names of influential persons in Europe and America to whom literature explaining the case of Great Britain and her Allies has been sent for distribution.

By death the Society has lost Field-Marshal Earl Roberts, an Honorary Fellow; Dr. J. H. Wylie, who had just consented to serve upon the Council; Professor J. W. Hales; and the Hon. Rollo Russell, a Life Fellow of very long standing, the last surviving son of Earl Russell, 'Lord John,' one of the Founders of the Society.

The following papers were read in the course of the Session:

'John Wycliffe, the Reformer, and Canterbury Hall, Oxford.' By the Rev. H. S. Cronin, M.A., B.D., F.R.Hist.S. (November 20, 1913.)

'MSS. at Oxford relating to the Later Tudors (1547–1603). By F. J. Routledge, B.A. (December 18, 1913.)

'The Forthcoming Bibliography of Modern British History.' By H. R. Tedder, F.S.A., Hon. Treasurer. (March 19, 1914.)

'Mounted Infantry in Mediæval Warfare.' By J. E. Morris, D.Litt., F.R.Hist.S. (April 23, 1914.)

'The Authenticity of the "Lords' Journals" in the 16th Century.' By Professor A. F. Pollard, Litt.D., F.R.Hist.S. (May 21, 1914.)

'Secular Aid for Excommunication.' By R. C. Fowler, B.A., F.R.Hist.S. (June 18, 1914.)

'Prégent de Bidoux's Raid in Sussex in 1514, and the Cotton MS. Augustus I. (i) 18.' By Alfred Anscombe, F.R.Hist.S.

'In Commemoration of Roger Bacon.' By A. G. Little, M.A., F.R.Hist.S. (January 15, 1914.)

At the Annual Meeting, on February 19, 1914, the President,

Professor C. H. Firth, LL.D., F.B.A., delivered an Address on the 'Study of Seventeenth Century History.'

The above Papers, with the exception of Mr. Little's paper in commemoration of Roger Bacon, which has been published in the Roger Bacon Commemoration Essays, are printed in the *Transactions*, Third Series, Vol. VIII.

The Alexander Medal for 1913 was not awarded. The Papers on 'Acton, Bois le Comte, and the Congress of Vienna,' by Mr. J. E. C. Green, and on 'King's Scholars in History and Modern Languages at Oxford and Cambridge,' by Mr. Oscar Browning, were postponed in the absence of the Authors.

In addition to the current volume of *Transactions*, the following volume of *Publications* has been issued to Fellows and subscribing Libraries since the date of the last Report.

The Chronicle of Novgorod, 1016–1471. Translated and Edited by Robert Mitchell, Nevill Forbes, M.A., and C. Raymond Beazley, D.Litt.

An interesting volume containing selections from the official papers of a Norfolk Justice of the Peace and Royal Commissioner (Sir Nathaniel Bacon, of Stiffkey), in the reigns of Elizabeth and James I., edited by Mr. H W. Saunders, M.A., F.R.Hist.S., is in the Press, and the following publications are in active preparation :—

'The Nicholas Papers, Vol. IV. (Camden N.S., vol. 63), edited by Sir G. F. Warner, D.Litt., F.S.A.

'The Secret Service under George III.,' edited by Professor W. T. Laprade, of Durham University, N.C.

'Camden Miscellany,' Vol. XIII.

The preparation of 'Sir Joseph Williamson's Minute Book of the Committee of Foreign Affairs' has been interrupted by the absence of the editor on military service.

In accordance with By-law XVII. the following Vice Presidents retired in rotation :—

Mr. Oscar Browning and His Eminence Cardinal Gasquet. Both were re-elected, and Colonel E. M. Lloyd was elected to fill the vacancy created by the death of Mr. I. S. Leadam. Since the last Annual Meeting, Mr. Frederic Harrison has resigned his Vice-Presidency, and has been elected an Honorary Vice-President, and Mr. R. A. Roberts has been co-opted a Vice-President to fill the vacancy caused thereby.

The following members of the Council retired also under

By-law XVII., and were re-elected with the exception of Colonel Lloyd, who was elected a Vice-President :—Mr. W. J. Corbett ; Dr. J. Holland Rose ; Mr. G. M. Trevelyan ; Colonel Lloyd.

Dr. J. H. Wylie was also elected a Member of Council, but his death in February, 1914, caused a vacancy, which has been filled by the co-option of Mr. G. P. Gooch, and the co-option of Mr. R. A. Roberts as a Vice-President created another vacancy, which has been filled by the co-option of Mr. Basil Williams.

The Secretary reports that the total membership of the Society on October 31, 1914, including Honorary, Corresponding, Life, and Ordinary Fellows, and Subscribing Libraries was 745. Of this number 17 were Honorary Fellows, 27 were Corresponding Members, and 85 were Life Fellows. The annual subscriptions are received from Ordinary Fellows paying £1 1*s.* under the old regulations ; former members of the old Camden Society and Subscribing Libraries paying £1 ; and Fellows paying the Statutory subscription of £2 2*s.*

There are 61 British and Foreign Societies which exchange *Transactions* with the Royal Historical Society.

The Treasurer reports that the Balance of Income over Expenditure for the year was £159 1*s.* 1*d.* Among the items of expenditure was one of £50, being the second of three payments to the Bibliography of Modern British History Fund. Exemption from the future payment of Parochial Rates was claimed and allowed by the Local Authorities for the premises at Gray's Inn. A further sum of £300 India 3½ per cent. Stock has been purchased, making altogether £900 in that security.

Next year the Society must expect a considerable increase in the expenditure to cover the expenses of removing into the new premises, 22 Russell Square, together with the cost of decoration, furniture, bookcases, carpets, etc. These expenses, large as they are, will be well within the resources of the Society, which may confidently expect an appreciable increase of membership in consequence of the great advantages which will be enjoyed by the Fellows in future.

The Auditors report that they have examined the statement of Income and Expenditure, together with the Balance Sheet appended to this Report, and have certified the same to be correct from their inspection of the books and vouchers.

ROYAL HISTORICAL SOCIETY.

I.—Income and Expenditure Account relating to the Year ending October 31, 1914.

Income.	£	s.	d.
Subscriptions of 1912: 1 at 42*s.* £2 2 0			
,, 1913 4 at 20*s.* 4 0 0			
,, ,, 20 at 42*s.* 42 0 0			
£48 2 0			
Less amount estimated to be received in last year's accounts for subscriptions in arrear . 20 10 0			
Subscriptions in arrear, received in excess of estimate	27	12	0
Subscriptions now in arrear estimated to be received	20	0	0
Subscriptions of 1914: 219 at 20*s.* 219 0 0			
,, ,, 38 at 21*s.* 39 18 0			
,, ,, 334 at 42*s.* 701 8 0			
	960	6	0
Life subscriptions: 2 at £21 42 0 0			
Less proportion required by By-Law IX. to be invested (see Balance-sheet) 28 0 0			
	14	0	0
Dividends on Russian 4 % Bond (Alexander Trust)	3	14	1
,, Consols	19	18	9
,, India 3½ % Stock	24	12	6
,, Canada 3½ % Stock	9	16	11
Interest on Deposit Account at Bank	9	0	1
Historical Association: Rent of rooms (3 quarters)	3	15	0
	£1,092	15	4

Expenditure.	£	s.	d.
Publications: Printing and Distributing £328 16 8			
Editing and Indexing 18 12 0			
£347 8 8			
Less received from Sales 15 14 6			
	331	14	2
Salaries of Director and Assistant Secretary and travelling expenses of Hon. Secretary	232	0	0
Rent of Offices	120	0	0
Coal	0	2	8
Electric Light	1	6	8
Rates (six months)	23	18	4
General Printing and Stationery	55	6	8
Library: Books, Periodicals, and Binding	40	13	2
Postages, &c.	20	13	11
Sundries (Petty Cash payments)	41	8	8
Advertising	3	16	6
Insurance	2	10	0
Bibliography of Modern British History Fund: 2nd yearly subscription	50	0	0
Monthly Meetings (cost of Refreshments)	8	5	0
Magna Carta Celebration, 1915: preliminary expenses	1	18	6
	933	14	3
Balance, being excess of Income over Expenditure for the year ending October 31, 1914, carried to Balance-sheet	159	1	1
	£1,092	15	4

ROYAL HISTORICAL SOCIETY.

II.—Balance-sheet of Liabilities and Assets at October 31, 1914.

Liabilities.		£ s. d.
Life subscriptions required to be invested as Capital Account (By-Law IX.): amount brought forward from last Balance-sheet	£1,234 0 0	
Proportion of Life subscriptions received in 1914 (see Income and Expenditure Account)	28 0 0	
		1,262 0 0
[Represented by Consols, India 3½% Stock, Canada 3½% Stock, and Cash on Deposit—see *contra*]		
Alexander Trust Fund [Russian 4% Bond—see *contra*]		98 17 6
Subscriptions received in advance		25 0 0
Balance, being surplus of Assets over Liabilities at date		3,143 9 4
Viz.—Amount brought forward from last year	£2,984 8 3	
Add Excess of Income over Expenditure as shown by Income and Expenditure Account	159 1 1	
	£3,143 9 4	
		£4,529 6 10

Assets.		£ s. d.
Consols 2½% £849 9*s.* 9*d.* valued at		700 0 0
India 3½% Stock £900 at cost		847 16 6
Canada 3½% Stock £300 at cost		285 1 0
Russian 4% Bond		98 17 6
Cash at Bank: Current a/c	£184 2 5	
,, Deposit Account	390 11 10	
Petty Cash Balance in hand	2 17 7	
		577 11 10
Stock of Publications at 10 Gray's Inn Place (value as insured)		100 0 0
Stock of Publications with Messrs. Spottiswoode & Co. and Messrs. W. H. Smith & Son (value as insured)		500 0 0
Library (value as insured)		1,000 0 0
,, Manuscripts (value as insured)		100 0 0
Furniture, &c. ,, ,,		300 0 0
Subscriptions in arrear estimated to be received (see Income and Expenditure Account)		20 0 0
		£4,529 6 10

(*Signed*) Henry R. Tedder, *Hon. Treasurer.*

Auditors' Report.

The above Statement of Income and Expenditure and Balance-sheet have been prepared from the Books and Vouchers, and we hereby certify the same to be correct.

(*Signed*) E. M. Lloyd,
J. Foster Palmer,
T. Cato Worsfold,
} *Auditors.*

December 7th, 1914.

Royal Historical Society.

(INCORPORATED BY ROYAL CHARTER.)

PATRON:
HIS MAJESTY THE KING.

PRESIDENT:
Professor C. H. FIRTH, LL.D., Litt.D.

I. The Historical Society was founded in the year 1868 by the then Archbishop of York, the late Earl Russell, the late George Grote, the late Dean of Westminster, Sir John Lubbock, Bart. (the late Lord Avebury), the late Earl of Selborne (then Sir Roundell Palmer), and other eminent men of the day, its main objects being to promote and foster the study of History by assisting in the publication of rare and valuable documents, and by the publication from time to time of volumes of Transactions and Publications.

II. In the year 1872 the Society, through the Secretary of State (the late Right Hon. H. A. Bruce, afterwards Lord Aberdare, G.C.B., for many years President of the Society), received the official permission of Her late Majesty Queen Victoria to adopt the title Royal Historical Society. In the year 1887 Her late Majesty was pleased to become Patron of the Society, and was also pleased to cause Letters Patent, dated July 31, 1889, to be passed under the Great Seal, granting to the Society Her Majesty's Royal Charter of Incorporation. Upon His accession to the Throne His Gracious Majesty King Edward VII. was pleased to become Patron of the

Society in succession to Queen Victoria. On May 2, 1897, the Camden Society was amalgamated with the Royal Historical Society, and the Camden Series of Publications was transferred to the latter Society.

III. The Society consists of a President, Fellows, and Honorary Fellows and Corresponding Members, forming together a body, at the present time, of nearly seven hundred Members. The principal States of Europe and America, British India, and the Colonies are represented by Honorary or Corresponding Fellows.

IV. The Annual Subscription to the Society is *Two Guineas*; and at present there is no entrance fee. Fellows may, on joining the Society, or afterwards, compound for all future subscriptions upon the payment of *Twenty Guineas*. Libraries may be admitted to the Membership of the Society for the purpose of receiving its Publications on payment of an annual subscription of *One Pound*.

V. The Fellows of the Society and Subscribing Libraries in Great Britain receive gratuitously a copy of each of the Society's Transactions and Publications during the period of their subscription. It is desirable that Foreign Libraries should appoint an Agent in London to whom the Publications may be delivered for transmission.

The annual Publications of the Society include a volume of Transactions containing selected Papers read at the Society's Ordinary Meetings, together with the texts of the most valuable of the original documents which may be communicated to the Society from time

to time by historical scholars. In addition to this volume, the Council will endeavour to continue the regular production of a uniform series of Publications (in the style of the Camden Series of Publications), at the rate, if possible, of two volumes in every year. In the interests of the Membership of the Society, the Council have recently decided that the Publications of the Society shall in future be published by the Society alone, and shall be issued only to Fellows and Subscribing Libraries. Arrangements have been made by which back volumes, as far as the stock permits, can be supplied to newly elected Fellows at a moderate price.

VI. Ordinary Meetings of the Society for the reading of Papers and discussions thereon are held from November to June, on the *third* Thursday in each month, at 5 P.M. The Anniversary Meeting is held on the third Thursday in February, when the Report of the Council is presented to the Fellows, and the President delivers his Annual Address.

VII. The Library of the Society, at 22 Russell Square, W.C., is open to Fellows daily, from 2 to 6 P.M. (Saturdays, 10 A.M. to 2 P.M.) The Library will be closed between August 15 and September 15, during Christmas week, during Easter week (for cleaning purposes), on Whit Monday and Whit Tuesday, and on His Majesty's Birthday and Coronation Day, June 24.

Books may be taken out by Fellows on signing a ticket for the same, but no Books may be kept out for a longer period than one month. Maps, MSS., and Periodicals must not be taken from the Library. Fellows are responsible for Books used or taken away

by them. No writing of any kind may be made upon Books or MSS. Owing to the limited space available for general historical literature, the Council must reserve the right to decline donations of books which may appear unsuitable.

VIII. All literary communications, proposals for Papers to be read before the Society, or for Historical documents or relics to be exhibited at the ordinary Meetings, should be addressed to the Director,

22 Russell Square, W.C.

All communications respecting the Library should be addressed to the Librarian,

22 Russell Square, W.C.

All subscriptions, unless paid by Banker's Order, should be sent to the Treasurer,

22 Russell Square, W.C.

The attention of Fellows is directed to By-law XI. on this subject.

Communications on all other subjects should be addressed to the Hon. Secretary,

22 Russell Square, W.C.

No. I.

FORM OF A CANDIDATE'S CERTIFICATE.

Certificate of Candidate for Election.

Name, ...

Title, Profession, or Occupation, ...

Residence, ...

Qualifications, ...

being desirous of admission into the ROYAL HISTORICAL SOCIETY, we the undersigned recommend him as a fit and proper person to be admitted as a Fellow.

Dated this ..... day of ..... 191.....

..... *F.R. Hist. Soc.* } *From personal knowledge.*

..... *F.R. Hist. Soc.* } *From general knowledge (one signature required by Rule II.).*

..... *F.R. Hist. Soc.* }

Proposed ..... 191.....

Elected ..... 191.....

Copies of this Form may be obtained on application to THE HON. SECRETARY, *22 Russell Square, W.C.*

No. II.

A VOTE by ballot, when necessary, shall be conducted in the usual manner, and the Secretary shall cause Voting Papers to be prepared for that purpose in the following form :—

VOTING PAPER.

Election held ..... **19** .....

Candidates for the office of President:	1.	.....
	2.	.....
Vice-President:	**Retiring Vice-Presidents who offer themselves for re-election.**	
	1.	.....
	2.	.....
	Candidates nominated under Rule XVIII.	
	3.	.....
	4.	.....
For the Council:	**Retiring Members who offer themselves for re-election:**	
	1.	.....
	2.	.....
	3.	.....
	4.	.....
	Candidates nominated under Rule XVIII.	
	5.	.....
	6.	.....
	7.	.....
	8.	.....

Fellows shall record their votes by putting a cross against the names of the Candidates in whose favour they wish to vote. If any Fellow shall record his vote for more Candidates than there are vacancies, his Voting Paper shall be void.

CHARTER OF INCORPORATION

CHARTER OF INCORPORATION

OF THE

ROYAL HISTORICAL SOCIETY.

Victoria, BY THE GRACE OF GOD, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, TO ALL TO WHOM these Presents shall come, Greeting;

WHEREAS Our right trusty and well beloved Councillor, Henry Austin, Baron Aberdare, Knight Grand Cross of Our most Honourable Order of the Bath, Fellow of the Royal Society, has by his Petition humbly represented unto Us, That in the year one thousand eight hundred and sixty-eight, His Grace the Archbishop of York, the late Right Honourable John, Earl Russell, K.G., F.R.S., the late Very Reverend the Dean of Westminster, Sir John Lubbock, Baronet, the late Sir John Bowring, LL.D., Sir Roundell Palmer, Q.C., M.P., D.C.L., now Earl of Selborne, the late George Grote, Esquire, F.R.S., and others of Our subjects formed themselves into a Society known as the Historical Society of Great Britain, having for its object the promotion of the study of History;

AND WHEREAS We were pleased in the year one thousand eight hundred and seventy-two to permit the said Society to adopt the name and title of the Royal Historical Society;

AND WHEREAS in the year one thousand eight hundred and eighty-seven We were pleased to become Patron of the said Royal Historical Society;

AND WHEREAS it has been represented to Us by the said Petitioner that the said Society has been and continues to be actively employed in promoting the object for which the said Society was founded, and has published thirteen volumes of Transactions containing original memoirs read before the Society, and did also in the year one thousand eight hundred and eighty-six appoint a

Committee for the due celebration of the eight hundredth anniversary of the completion of the Domesday Book of His late Majesty William the First, by which Committee meetings for the reading of papers and exhibitions of Domesday Book and other manuscripts were held, and the papers read at the meetings have been published under the title of Domesday Studies, of which We have been pleased to accept the dedication, and the said Society has also published the despatches from Paris in one thousand eight hundred and two-one thousand eight hundred and three of Lord Whitworth, Ambassador of His late Majesty King George III ;

AND WHEREAS the said Society has in aid of its objects collected a Library to which additions are constantly being made, and other property ;

AND WHEREAS the said Petitioner, believing that the well-being and usefulness of the said Society would be materially promoted by its obtaining a Charter of Incorporation, hath therefore, on behalf of himself and the other Fellows of the said Society, most humbly prayed that We would be pleased to grant to those who now are, or who shall from time to time become Fellows of the said Society, Our Royal Charter of Incorporation ;

NOW KNOW YE that We, being desirous of encouraging a design so laudable and salutary, of Our especial grace, certain knowledge and mere motion, have granted, directed and declared, and by these Presents do grant, direct, and declare that the said Henry Austin, Baron Aberdare, and such others of Our loving subjects as now are Fellows of the said Royal Historical Society (hereinafter called the said Society), or as shall hereafter from time to time become under the provisions of these Presents Members of the Body Politic and Corporate by these Presents created, shall for ever hereafter be one Body Politic and Corporate by the name of the ROYAL HISTORICAL SOCIETY ; and for the purposes aforesaid, and by the name aforesaid, shall have perpetual succession and a Common Seal, with full power and authority to alter or vary, break and renew the same at their discretion, and by the same name to sue and be sued, implead and be impleaded, answer and be answered in every Court of Us, Our Heirs and Successors.

AND Our will and pleasure is, that the Royal Historical Society hereby created (hereinafter called the Corporation) may, notwithstanding the Statutes of Mortmain, take, purchase, hold and enjoy to them and their successors a hall or house, and such other lands, tenements, and hereditaments as may be necessary for carrying on

the purposes of the Society, Provided that the yearly value of such lands, tenements, and hereditaments (including the said hall or house) computed at the yearly value of the same at the time of the respective purchases or acquisition thereof do not exceed in the whole the sum of Two thousand pounds sterling.

AND Our will and pleasure is, and We do hereby declare, That there shall always be a Council of the Corporation, and that the said Council shall consist of a President, not less than six Vice-Presidents, a Treasurer, a Secretary, and not less than fourteen Councillors, who shall be elected and retire in accordance with the By-laws for the time being of the Corporation, and that the present Council of the said Society shall be the first Council of the Corporation;

AND Our will and pleasure is, That the Council of the Corporation may from time to time make, revoke, alter, and amend by-laws for all or any of the following purposes, to wit:—

(*a*) Prescribing the manner in which persons may become members of the Corporation and the conditions of membership, and the rights, powers, duties, privileges, and amotion of the members of the Corporation;

(*b*) Prescribing the tenure of office by the President, Vice-Presidents, Treasurer, Secretary, and Councillors of the Corporation (including those hereby appointed), and the mode of electing or appointing future Presidents, Vice-Presidents, Treasurers, Secretaries and Councillors, and the rights, powers, duties, privileges, and amotion of the first and future Presidents, Vice-Presidents, Treasurers, Secretaries, and Councillors;

(*c*) With respect to the appointments, emoluments, and tenure of office of the officers and servants of the Corporation;

(*d*) The election or appointment and amotion of honorary members or Fellows of the Corporation (who may, if the by-laws so declare, be either Our subjects or foreigners, or both);

(*e*) The classes into which Members are to be admitted;

(*f*) Generally for regulating the affairs, property, business, and interests of the Corporation and its Council and Members, and making, revoking, altering, and amending by-laws and carrying out the objects of these Presents;

Provided that such by-laws shall not be valid unless and until they have been approved by a clear majority of the members of the Corporation present at a meeting specially summoned for the purpose, and Provided also that if any by-law be contrary to the objects

of the Corporation, or the intent or meaning of this Our Charter, or the laws or statutes of Our Realm, the same shall be absolutely null and void.

WE do further direct and declare that the existing by-laws of the said Society shall (so far as they are applicable) apply to the Corporation, its Council, members, and affairs until by-laws made under these Presents have come into force but no longer.

WE do further by these Presents declare that it is Our will and pleasure that these Presents may be repealed, altered, amended, or added to by any Charter granted by Us, Our Heirs and Successors, at any time hereafter, and accepted by a clear majority of the members of the Corporation present at a Meeting specially summoned for the purpose.

IN WITNESS whereof We have caused these Our Letters to be made Patent. WITNESS Ourself at Westminster, the thirtieth day of July, in the fifty-third year of Our Reign.

By Warrant under the Queen's Sign Manual,

MUIR MACKENZIE. L.S.

BY-LAWS

THE BY-LAWS

OF THE

ROYAL HISTORICAL SOCIETY

(Incorporated by Royal Charter).

I.—The Society shall consist of Ordinary and Honorary Fellows and Corresponding Members. The number of Honorary Fellows shall not exceed Seventy-five ; and of these not more than twenty-five shall be British subjects.

II.—Every person desirous of admission into the Society as an Ordinary Fellow must be proposed and recommended agreeably to the Form No. I. in the Appendix hereto, and such recommendation must be subscribed by two Fellows at least, one of whom must certify his personal knowledge of such candidate. The certificate thus filled up shall be delivered to the Secretary, and shall be communicated by him to the Council at their next meeting, when the election of such candidate may take place.

III.—Fellows shall be elected by the Council on the vote of two-thirds of the Members of Council present. The names of those so elected shall be announced at the next Ordinary Meeting of Fellows.

IV.—The Secretary shall send to every elected Fellow notice of his election within seven days thereafter. No election of an Ordinary Fellow shall be complete, nor shall his name be printed in the list of the Society, nor shall he be entitled to any of the privileges of a Fellow, until he shall have paid his

entrance fee (if any) and first year's subscription, or compounded for the same, as hereinafter provided; and unless these payments be made within three calendar months from the date of election, such election may be declared void by the Council.

V.—Subject to the limit fixed in Rule I., the Council shall be empowered to elect persons of distinction in historical studies as Honorary Fellows, or as Corresponding Members, who shall not be required to pay an entrance fee or annual subscription; but no persons so elected shall be entitled, except on the special vote of the Council, to receive the Publications of the Society, or to vote at meetings. The Council may also nominate distinguished Fellows of the Society to be Honorary Vice-Presidents, who shall be elected by the Fellows at the Anniversary Meeting, and shall retain the title so long as they are Fellows of the Society, provided that the number of Honorary Vice-Presidents shall not exceed twenty-five.

VI.—The Council shall also be empowered to admit Libraries as subscribers for the Publications of the Society, and to define from time to time the conditions of such admission.

VII.—If any Fellow of the Society shall so demean himself that it would be for the dishonour of the Society that he longer continue to be a Fellow thereof, the Council shall take the matter into consideration; and if two-thirds of the Members of the Council present and voting at a meeting (of which and of the matter in hand such Fellow and every Member of the Council shall have due notice) shall decide by ballot to recommend that such Fellow be removed from the Society, he shall be requested to resign. If he refuse to resign, a Special Meeting of the Society shall be convened to consider the recommendation of the Council, at which meeting, or at an adjourned meeting, the question shall be decided by ballot; and if two-thirds of the Fellows present and voting agree with the recommendation of the Council the name of such Fellow shall forthwith be removed from the Roll.

VIII.—The Annual Subscription shall be Two Guineas, provided always that Fellows elected prior to the 1st of March, 1884, shall not be required to pay more than One Guinea annually, and Members of the Camden Society elected prior to the 1st March,

1895, the sum of One Pound annually. The Council shall decide from time to time whether any entrance fee shall be levied and, if so, shall fix its amount.

IX.—Fellows of the Society may at any time compound for their annual subscription by the single payment of Twenty Guineas, of which Fourteen Pounds Sterling shall be placed to the Capital Account of the Society.

X.—No Fellow shall be entitled to any of the privileges of the Society unless and until his subscriptions for the current and previous years have been paid.

XI.—Any Fellow of the Society failing to pay the subscription due for the current year on or before June 1, shall be applied to in writing by the Secretary; and if the same be not paid on or before the 31st December following, the Council shall be empowered to remove his name from the Roll; but such Fellows shall continue liable to the Society for the arrears of their subscriptions.

XII.—Every Ordinary Fellow of the Society shall, during the term of his subscription, be entitled to receive the Publications of the Society free of expense.

XIIIA.—Every Fellow of the Society shall furnish his Address, or that of his Agent or Banker, to the Secretary; and all notices or packets posted or sent to such address shall be held to be duly delivered.

XIIIB.—No dividend, gift, division or bonus in money shall be made by the Society unto or between any of its Fellows.

XIV.—Fellows shall have access to the Society's Library under such regulations as may appear to the Council necessary.

XV.—The President shall be elected by the Fellows at the Anniversary Meeting, and shall hold office for a term of four years. The past Presidents shall be ex-officio Honorary Vice-Presidents of the Society.

XVI.—The Council shall consist of the President, not less than eight Vice-Presidents, the Treasurer, the Secretary, and not less than sixteen Councillors.

XVII.—The two Vice-Presidents senior on the Council Roll, and the four Councillors senior on the Council Roll, shall retire annually, but shall be re-eligible.

XVIII.—The names of Fellows to be submitted for election as Office-Bearers and Councillors shall be proposed by the Council and intimated to the Fellows at least Fifteen days before the Anniversary Meeting; but any ten Fellows of the Society may nominate Fellows to supply vacancies, such names being notified to the Secretary at least Ten days before the said Meeting. If the number of Candidates nominated as Vice-Presidents or Councillors be such as would, if all were elected, raise the number of Vice-Presidents or Councillors above eight or sixteen respectively, the Meeting shall determine the number of vacancies to be filled; and if the number of vacancies so determined for either class should be less than the number of Candidates, the elections for that class shall take place by ballot as provided in Appendix II.

XIX.—On a vacancy occurring in the office of President or other office of the Society, or in the Council, the Council shall have power to supply such vacancy until the following Anniversary Meeting.

XX.—In all Meetings of the Council five shall be a quorum, and all questions shall be decided by show of hands, unless a ballot be demanded.

XXI.—The Council shall determine the Works, Articles, and Papers to be read at the Society's Meetings, and otherwise shall arrange the business of the Society; and nothing shall be published in the name of the Society, or under its auspices, or inserted in the Society's *Transactions* or other publications, without the authority of the Council.

XXII.—The Council shall appoint any persons they deem fit to be salaried officers or clerks, for carrying on the necessary

concerns of the Society ; and shall define the duties to be performed by them respectively, and shall allow to them respectively such salaries, gratuities, and privileges as the Council may deem proper ; and may suspend or discharge any officer or clerk from office whenever there shall seem to them occasion for so doing.

XXIII.—The Meetings of the Society are of three kinds—Anniversary, Special, and Ordinary.

XXIV.—The Anniversary Meeting shall be held on the Third Thursday of February, or at such other time as the Council shall from time to time appoint. At the Anniversary Meeting the vacancies in the Council shall be filled up.

XXV. —The Council may call a Special Meeting of the Society whenever it shall be considered necessary, and shall convene a Special Meeting of the Society on a requisition to that effect being made by twenty Fellows, the date of such Meeting being fixed within one month from the receipt of the requisition.

XXVI.—A fortnight's notice, at least, of the time when, and the object for which, every Special Meeting is to be holden shall be sent to every Fellow residing in the United Kingdom ; and no other business than that of which notice has been thus given shall be entered upon or discussed at such Meeting.

XXVII.—At every Special Meeting of the Society ten Fellows shall form a quorum.

XXVIII.—The Ordinary Meetings shall be held on the third Thursday of each month, from November to June inclusive in each year, or at such other times as the Council shall determine.

XXIX.—At the Ordinary Meetings papers and communications shall be read and discussed ; but nothing relating to the regulations or management of the Society shall be brought forward

XXX.—Visitors to the Ordinary Meetings may be admitted if introduced personally by Fellows, or by their written order, under such regulations as the Council may determine.

XXXI.—Any Fellow of the Society who proposes to read a Paper at any Ordinary Meeting shall submit it for the approval of the Council, and shall state in writing whether such Paper has, in whole or in part, been previously read to any other Society, or publicly utilised in any form ; but it shall rest with the Council to determine whether a Paper shall be read or utilised by the Society.

XXXII.—At all Meetings of the Society, or the Council, or the Committees thereof, the President, if present, shall be Chairman ; and in his absence one of the Vice-Presidents, or, if no Vice-President be present, a Member of Council shall be elected Chairman for the occasion.

XXXIII.—In all Meetings of the Society and Council, except in the cases otherwise provided for, the decision of a majority of the Fellows voting shall be considered as the decision of the Meeting, the President or Chairman having a casting vote only.

XXXIV.—The Accounts of the Society shall be from time to time examined by the Council, who shall present, and cause to be read to the Anniversary Meeting a complete statement thereof, together with a report on the general affairs of the Society during the preceding year.

XXXV.—The Treasurer shall receive all moneys due to the Society, and on the order of the Council pay out of the moneys so received all charges on the Society's funds ; he shall keep a proper account of his receipts and payments. All cheques or orders on the Treasurer's account for the payment of any sum of money above £5 must be authorised by the Council, and cheques must be signed by the Treasurer and two Members of the Council.

XXXVI.—At the last Ordinary Meeting in each session, the Fellows shall choose two Auditors, not of the Council, who, with one Auditor appointed by the Council, shall audit the Treasurer's accounts, and report thereon to the Society, which report shall be presented to the Anniversary Meeting.

Royal Historical Society.

(INCORPORATED BY ROYAL CHARTER.)

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*Those marked * have compounded for their Annual Subscriptions.*

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